



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY
साप्ताहिक
WEEKLY

सं. 47] नई दिल्ली, नवम्बर 14—नवम्बर 20, 2010, शनिवार/कार्तिक 23—कार्तिक 29, 1932
No. 47] NEW DELHI, NOVEMBER 14—NOVEMBER 20, 2010, SATURDAY/KARTIKA 23—KARTIKA 29, 1932

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

सीमाशुल्क आयुक्त का कार्यालय

कोचिन, 14 अक्टूबर, 2010

सं. 2/2010

का.आ. 2864.—सीमाशुल्क अधिनियम, 1962 की धारा 10 के अन्तर्गत मुझे प्रदत्त शक्तियों का प्रयोग करते हुए मैं, बी. रमा मैथ्यू, सीमाशुल्क आयुक्त, सीमाशुल्क गृह, कोचिन एतद्वारा सीमाशुल्क अधिनियम, 1962 के प्रावधानों तथा भारत सरकार या सीमाशुल्क आयुक्त, सीमाशुल्क गृह, कोचिन द्वारा समय समय पर जारी निर्देशों के सख्त अनुपालन की शर्तों पर, सीमाशुल्क अधिकारियों द्वारा जहाजों में चढ़ने और उतरने के लिए कोचि इन्टरनेशनल मरीना, बोलघाटी द्वीप, एरणाकुलम को बोर्डिंग स्टेशन के रूप में निर्धारित करती हूँ।

[फा. सं. एस-31/167/2010 पीआर कस्टम]

बी. रमा मैथ्यू, सीमाशुल्क आयुक्त

OFFICE OF THE COMMISSIONER OF CUSTOMS

Cochin, the 14th October, 2010

No. 2/2010

S.O. 2864.—In exercise of the powers conferred on me under Section 10 of the Customs Act, 1962, I, V.Rama Mathew, Commissioner of Customs, Custom House, Cochin, here appoint, Kochi International Marina, Bolgatty Island, Ernakulam, as a boarding station for the purpose of boarding of, or disembarkation from, vessels by officers of Customs subject to the strict observance of the provisions of the Customs Act, 1962 and other instructions issued in this behalf by the Government of India or Commissioner of Customs, Customs House, Cochin from time to time.

[F. No. S-31/167/2010-Pr Cus.]

V. RAMA, MATHEW, Commissioner of Customs

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 10 नवम्बर, 2010

का.आ. 2865.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (क) के अनुसरण में राजस्व विभाग के अधीन केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क बोर्ड के निम्नलिखित कार्यालय को जिनके 80 प्रतिशत कर्मचारी हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

केन्द्रीय उत्पाद शुल्क, आयुक्तालय, पुणे-1

41-ए, आई सी ई हाउस, समून रोड,

वाडिया कॉलेज के सामने, पुणे-411001

[फाइल नं. 11012/1-2008-हिंदी]

मधु शर्मा, निदेशक (ग.प.)

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 10th October, 2010

S.O. 2865.—In pursuance of Sub Rule 4 of 10 of the Official Language (use of Official purpose of the uni Rules, 1976 the Central Government hereby notifies the following office under the Central Board of Excise & Customs Department of Revenue, the 80% staff whereof have acquired the working knowledge of Hindi :

Office of the Commissioner of Central Excise,

Pune-1

41-A, ICE House,

Sasoon Road, Opposite to Wadia College

Pune-411001

[File No. 11012/1-2008-Hindi]

MADHU SHARMA, Director (G.P.)

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 3 नवम्बर, 2010

का.आ. 2866.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भागीय मानक एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गये मानक(कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आईएस 1342:2002 तेल दाब स्टोब-विशिष्ट (छठा पुनरीक्षण)	संशोधन नं. 3, सितम्बर, 2010	30 मितम्बर, 2010
2.	आईएस 5244:1991 सुरक्षित जमा लाकर केबिनेट-विशिष्ट (दूसरा पुनरीक्षण)	संशोधन नं. 4, सितम्बर, 2010	5 अक्टूबर, 2010
3.	आईएस 10109:2002 तेल दाब स्टोब-अन्तर्लम्ब बर्नर टाइप-विशिष्ट (पहला पुनरीक्षण)	संशोधन नं. 3, सितम्बर, 2010	15 नवम्बर, 2010

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

नई दिल्ली, 20 नवम्बर, 2010

[संदर्भ : एम.ई.डी./डी 2:1]

सो. क. वेदा, वैज्ञ. 'एफ' एवं प्रमुख (यांत्रिक इंजीनियरिंग)

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

(BUREAU OF INDIAN STANDARDS)

New Delhi, the 3rd November, 2010

S.O. 2866.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the schedule hereto annexed have been issued :

SCHEDULE

No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(2)	(3)	(4)
IS 1342:2002 Oil pressure stoves—Specification (Sixth Revision)	Amendment No. 3 September, 2010	30 September, 2010
IS 5244:1991 Safe Deposit locker cabinet—Specification (Second Revision)	Amendment No. 4 September, 2010	5 October, 2010
IS 10109 : 2002 Oil pressure stoves—Offset burner type—Specification (First Revision)	Amendment No. 3 September, 2010	15 November, 2010

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pondicherry, Thiruvananthapuram.

Date : 3rd November, 2010

[Ref: MED/G-2:1]

C. K. VEIDA, Sc. 'F' & Head (Mechanical Engineering)

नई दिल्ली, 9 नवम्बर, 2010

क्र.आ. 2867.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो नद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गये मानक(कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम क्रिया	संशोधित भारतीय मानक (कों) की संख्या, वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आईएस 3074:2005—मोटर वाहन हेतु इस्पात नलिकाएँ—विशिष्ट (दूसरा पुनरीक्षण)	संशोधन नं. 3, अक्टूबर, 2010	31.10.2010

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

दिनांक : 9 नवम्बर, 2010

[संदर्भ : एमटीडी 19/11/7]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 9th November, 2010

S.O. 2867.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the amendment to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and Title of the Indian Standards (s)	No. & year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1	IS 3074:2005 Steel tubes for automotive Purposes-Specification (Second Revision)	Amendment No. 3 October, 2010	31 October, 2010

Copy of this amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Officers: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices, Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

Date : 9 November, 2010

[Ref: MTD 19/11/7]

P. GHOSH, Sc. 'F' & Head (Met Engg.)

नई दिल्ली, 9 नवम्बर, 2010

का.आ. 2868.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उप-नियम(1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गये मानक(कों) में संशोधन किया गया/किये गये हैं।

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक (कों) की संख्या, वर्ष और शीर्षक	संशोधन की संख्या और तिथि	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आईएस 101 (भाग 8/अनुभाग 2):1990 रोगनों, वार्निशों और सम्बद्ध उत्पादों के नमूने लेने और परीक्षण पद्धतियाँ भाग 8 वर्णकों और अन्य ठोसों के परीक्षण अनुभाग 2 वर्णक, अवाष्पशील वाहन और अवाष्पशील पदार्थ	संशोधन संख्या नं. 4, सितम्बर, 2010	30 सितम्बर 2010

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 20/आईएस 101 (भाग 2/अनुभाग 2)]

ई. देवेन्द्र, वैज्ञानिक 'एफ' एवं प्रमुख (रसायन)

New Delhi, the 9th November, 2010

S.O. 2868.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 101 (Part 8/Sec 2): 1990 Methods of Sampling and Test for Paints, Varnishes and Related Products Part 8 Test for Pigments and other Solids Section 2 Pigments, Non-Volatile and Non-Volatile Matter	Amendment No. 4 September, 2010	30 September, 2010

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubnaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: CHD 20/IS 101(Part 8/Sec. 2)]

E. DEVENDAR, Scientist 'F' & Head (Chemical)

कोयला मंत्रालय**आदेश**

नई दिल्ली, 18 नवम्बर, 2010

का.आ. 2869.—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 9 की उपधारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक का. आ. 3821 तारीख 13 सितम्बर, 2006 के भारत के राजपत्र, भाग-II, खंड 3, उपखंड (ii) तारीख 23 सितम्बर, 2006 में प्रकाशित होने पर, उक्त अधिसूचना से संलग्न अनुसूची में वर्णित भूमि और भूमि में या उस पर के अधिकार (जिसे इसमें इसके पश्चात् उक्त भूमि कहा गया है) उक्त अधिनियम की धारा 10 की उपधारा (1) के अधीन, सभी विल्लंगमों से मुक्त होकर, आत्यंतिक रूप से केन्द्रीय सरकार में निहित हो गए हैं :

और केन्द्रीय सरकार का यह समाधान हो गया है कि नार्दन कोलफील्ड्स लिमिटेड, सिंगरौली (जिसे इसमें इसके पश्चात् सरकारी कम्पनी कहा गया है) ऐसे निबंधनों और शर्तों को, जिन्हें केन्द्रीय सरकार इस निमित्त अधिरोपित करना उचित समझे, अनुपालन करने के लिए रजामंद है ;

अतः अब केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि इस प्रकार निहित उक्त भूमि और उक्त भूमि में या उस पर के अधिकार तारीख 23 सितम्बर, 2006 से केन्द्रीय सरकार में इस प्रकार निहित बने रहने की बजाय, निम्नलिखित निबंधनों और शर्तों के अधीन रहते हुए, उक्त सरकारी कम्पनी में निहित हो जाएंगे, अर्थात् :-

- (1) उक्त सरकारी कम्पनी, उक्त अधिनियम के उपबंधों के अधीन यथा अवधारित प्रतिकर, ब्याज, नुकसानी और वैसी ही मदों की बावत किए गए सभी संदायों की केन्द्रीय सरकार को प्रतिपूर्ति करेगी ;
- (2) उक्त सरकारी कंपनी द्वारा शर्त (1) के अधीन, केन्द्रीय सरकार को संदेय रकमों का अवधारण करने के प्रयोजन के लिए एक अधिकरण का गठन किया जाएगा तथा ऐसे किसी अधिकरण और ऐसे अधिकरण की सहायता के लिए नियुक्त व्यक्तियों के संबंध में उपमत सभी व्यय, उक्त सरकारी कंपनी वहन करेगी और इसी प्रकार, इस प्रकार निहित उक्त भूमि में या उस पर के अधिकारों

के लिए या उनके संबंध में सभी विधिक कार्यवाहियों, जैसे अपील आदि की वाकत उपमत, सभी व्यय भी, उक्त सरकारी कंपनी वहन करेगी ;

- (3) उक्त सरकारी कंपनी, केन्द्रीय सरकार और उसके पदधारियों की ऐसे किसी अन्य व्यय के संबंध में, जो इस प्रकार निर्दिष्ट उक्त भूमि में या उस पर के अधिकारों के बारे में, केन्द्रीय सरकार और या उसके पदधारियों द्वारा या उनके निरुद्ध किन्हीं कार्यवाहियों के संबंध में आवश्यक हो क्षतिपूर्ति करेगी ;
- (4) उक्त सरकारी कंपनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना, उक्त भूमि और अधिकार किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी ; और
- (5) उक्त सरकारी कंपनी, ऐसे निर्देशों या शर्तों का, जो केन्द्रीय सरकार द्वारा, जब कभी आवश्यक हो, उक्त भूमि के विवादा क्षेत्रों के लिए दिए जाएं या अधिरोपित को जाए, पालन करेगी ।

[फा. सं. 43015/1/2003-प्रवा.आ.सू.सू. 1]

एस. सी. भट्टा, निदेशक,

MINISTRY OF COAL

ORDER

New Delhi, the 18th November, 2010

S.O. 2869.—Whereas, on the publication of the notification of the Government of India, in Ministry of Coal, number S.O. 3821 dated the 13th September, 2006 in the Gazette of India, Part II, Section 3, Sub-Section(ii) dated the 23rd September, 2006, issued under sub-section (1) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) the land and rights in or over such land as described in the Schedule appended to the said notification (hereinafter referred to as the said land) vested absolutely in the Central Government free from all encumbrances under sub-section (1) of Section 10 of the said Act ;

And whereas, the Central Government is satisfied that the Northern Coalfields Limited, Singrauli (hereinafter referred to as the Government company) is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf ;

Now, therefore, in exercise, of the powers conferred by sub-section (1) of Section 11 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby directs that the said land and rights in or over such land so vested shall, with effect from the 23rd September, 2006, instead of continuing to so vest in the Central Government, shall vest in the said Government company, subject to the following terms and conditions, namely:

- (1) The said Government Company shall reimburse the Central Government all payments made in respect of compensation, interest, damages and the like as determined under the provisions of the said Act ;
- (2) A Tribunal shall be constituted under section 14 of said Act, for the purpose of determining the amounts payable to the Central Government by the said Government company under conditions (1), and all expenditure incurred in connection with any such tribunal and persons appointed to assist the tribunal shall be borne by the said Government company and similarly, all expenditure incurred in respect of legal proceedings like appeals, etc. for or in connection with the rights in or over the said land so vested shall also be borne by the said Government company ;
- (3) The said Government company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the rights in or over the said land so vested ;
- (4) The said Government company shall have no power to transfer the said land and the rights to any other person without the prior approval of the Central Government ; and
- (5) The said Government Company shall abide by such directions and conditions as may be given or imposed by the Central Government for particular areas of the said land as and when necessary.

[F. No. 43015-1/2003-PRW-I]

S. C. BHATTIA, Director

आदेश

नई दिल्ली, 18 नवम्बर, 2010

का.आ. 2870.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 9 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्याक का. आ. 861 तारीख 29 सितम्बर, 2010 जो भारत के राजपत्र, भाग-II, खंड 3, उप-खंड (ii) तारीख 3 अप्रैल, 2010 में प्रकाशित होने पर, उक्त अधिसूचना से संलग्न अनुसूची में वर्णित भूमि और भूमि में या उस पर के सभी अधिकार (जिसे इसमें इसके पश्चात् उक्त भूमि कहा गया है) उक्त अधिनियम की धारा 10 की उप-धारा (1) के अधीन, सभी विल्लंगमों से मुक्त होकर, आत्यंतिक रूप से निहित हो गए थे;

और, केन्द्रीय सरकार को यह समाधान हो गया है कि साउथ ईस्टर्न कोलफील्ड्स लिमिटेड-विलासपुर (जिसे इसमें इसके पश्चात् उक्त सरकारी कम्पनी कहा गया है), ऐसे निबंधनों और शर्तों का, जो केन्द्रीय सरकार इस निमित्त अधिरोपित करना उचित समझे, अनुपालन करने के लिए तैयार है;

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 11 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि इस प्रकार निहित उक्त 752.456 हेक्टर भूमि और उस पर के सभी अधिकार तारीख 3 अप्रैल, 2010 से केन्द्रीय सरकार में इस प्रकार निहित बने रहने की बजाय, निम्नलिखित निबंधनों और शर्तों के अधीन रहते हुए, उक्त सरकारी कम्पनी में निहित हो जाएंगे, अर्थात् :-

- (1) उक्त सरकारी कम्पनी, उक्त अधिनियम के उपबंधों के अधीन यथा अवधारित प्रतिकर, ब्याज, नुकसान और वैसे ही मदों की बाबत किए गए सभी संदायों की केन्द्रीय सरकार को प्रतिपूर्ति करेगी;
- (2) उक्त सरकारी कम्पनी द्वारा शर्त (1) के अधीन, केन्द्रीय सरकार को संदेय रकमों का अवधारण करने के प्रयोजन के लिए एक अधिकरण का गठन किया जाएगा तथा ऐसे किसी अधिकरण और ऐसे अधिकरण की सहायता के लिए नियुक्त व्यक्तियों के संबंध में उपगत सभी व्यय, उक्त कंपनी वहन करेगी और इसी प्रकार, निहित उक्त भूमि में या उस पर के सभी अधिकारों के लिए या उसके संबंध में सभी विधिक कार्यवाहियों की बाबत उपगत, सभी व्यय भी, उक्त सरकारी कंपनी वहन करेगी;
- (3) उक्त सरकारी कंपनी, केन्द्रीय सरकार या उसके पदधारियों की ऐसे किसी अन्य व्यय के संबंध में, जो इस प्रकार निहित उक्त भूमि में या उस पर के अधिकारों के बारे में, केन्द्रीय सरकार और या उसके पदधारियों द्वारा या उनके निरुद्ध किन्हीं कार्यवाहियों के संबंध में आवश्यक हो क्षतिपूर्ति करेगी;
- (4) उक्त सरकारी कंपनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना, उक्त भूमि और अधिकार किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी; और
- (5) उक्त सरकारी कंपनी, ऐसे निदेशों और शर्तों का, जो केन्द्रीय सरकार द्वारा, जब कभी आवश्यक हो, उक्त भूमि के विशिष्ट क्षेत्रों के लिए दिए जाएं या अधिरोपित की जाएं, पालन करेगी।

[फा. सं. 43015/12/2009-पीआरआईडब्ल्यू 1।]

एस. सी. भाटिया, निदेशक

ORDER

New Delhi, the 18th November, 2010

S.O. 2870.—Whereas, on the publication of the notification of the Government of India, in the Ministry of Coal, number S.O. 861 dated the 29th March, 2010 in the Gazette of India, Part II, Section 3, Sub-section (ii) dated the 3rd April, 2010, issued under sub-section (1) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the land and all rights in or over such land as described in the Schedule appended to the said notification (hereinafter referred to as the said land) vested absolutely in the Central Government free from all encumbrances under sub-section (1) of Section 10 of the said Act;

And, whereas, the Central Government is satisfied that the South Eastern Coalfields Limited, Bilaspur (hereinafter referred to as the Government Company) is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 11 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby directs that the said land and all rights in or over such land so vested shall, with effect from the 3rd April, 2010, instead of continuing to so vest in the Central Government, shall vest in the Government Company, subject to the following terms and conditions namely :-

1. The Government Company shall reimburse to the Central Government all payments made in respect of compensation, interest, damages and the like as determined under the provisions of the said Act;
2. A Tribunal shall be constituted under Section 14 of the said Act, for the purpose of determining the amounts payable to the Central Government by the Government Company under condition (1), and all expenditure incurred in connection with any such tribunal and persons appointed to assist the tribunal shall be borne by the Government Company and similarly, all expenditure incurred in respect of all legal proceedings like appeals, etc. for or in connection with the rights in or over the said land so vested shall also be borne by the Government Company;
3. The Government Company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the rights in or over the said land so vested;
4. The Government Company shall have no power to transfer the said land and the rights to any other person without the prior approval of the Central Government; and
5. The Government Company shall abide by such directions and conditions as may be given or imposed by the Central Government for particular areas of the said land as and when necessary.

[E. No. 43015/12/2009-PRIW-I]

S. C. BHATIA, Director

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

शुद्धिपत्र

नई दिल्ली, 12 नवम्बर, 2010

का.आ. 2871.—अधिसूचना संख्या का.आ. 1641 दिनांक 28 जून, 2010 की चौथी पंक्ति में सक्षम प्राधिकारी का नाम अर्थात् "श्री बी.एस. कृष्णमूर्ति" के स्थान पर "श्री एस. कृष्णमूर्ति" पढ़ा जाए।

[फा. सं. पी-25011/1/2009-आपूर्ति]

जे. के. सिंह, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS
CORRIGENDUM

New Delhi, the 12th November, 2010

S.O. 2871.—In the line 4 of the Notification bearing S.O. 1641 dated 28th June, 2010, the name of the Competent Authority i.e., "Shri B. S. Krishnamoorthi" may be read as "Shri S. Krishnamurthy".

[E. No. P-25011/1/2009-Sup.]

J. K. SINGH, Under Secy.

नई दिल्ली, 18 नवम्बर, 2010

का.आ. 2872.—भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में मैसर्स गेल (इण्डिया) लिमिटेड द्वारा पाइपलाइन बिछाने के लिये उक्त अधिनियम के अधीन संलग्न सूची के कालम (1) में वर्णित व्यक्ति को कालम (2) में वर्णित क्षेत्र में सक्षम प्राधिकारी के कृत्यों का पालन करने के लिए नियुक्त करती है।

अनुसूची

व्यक्ति का नाम और पता (2)	अधिकारिता का क्षेत्र (2)
श्री एन. सूर्यानारायण, सहायक आयुक्त, मैसर्स गेल (इण्डिया) लिमिटेड, बेंगलूरु में प्रतिनियुक्ति पर	सम्पूर्ण कर्नाटका राज्य

[फाइल सं. एल 14014/29/09 जी.पी.]

के. के. शर्मा, अवर सचिव

New Delhi, the 18th November, 2010

S.O. 2872.—Whereas, in pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Government of India hereby authorizes the person mentioned in column (1) of the schedule given below to perform the functions of the Competent Authority under the said Act for laying pipelines by the said M/s GAIL (India) Limited in the area mentioned in column (2) of the said schedule.

SCHEDULE

Name and Address of the person	Area of Jurisdiction
Shri N. Suryanarayan, Assistant Commissioner, On deputation basis to M/s. GAIL (India) Limited, Bengaluru	Whole State of Karnataka

[F.No. L-14014/29/09-GP.]

K. K. SHARMA, Under Secy.

नई दिल्ली, 15 नवम्बर, 2010

का.आ. 2873.—केन्द्रीय सरकार को लोक हित में यह आवश्यक प्रतीत होता है कि पंजाब राज्य में रमन मंडी से हरियाणा राज्य में बहादुरगढ़ तक, पेट्रोलियम तेल के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा “जी जी एस आर उत्पाद निष्क्रमण परियोजना” के कार्यान्वयन हेतु एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है और जिसमें पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाने के संबंध में श्री प्रहलाद सिंह (हरियाणा), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, गुरु गोबिन्द सिंह रिफाइनरी उत्पाद निष्क्रमण परियोजना, एस सी एफ नं.-29, सेक्टर-6, बहादुरगढ़-124507, हरियाणा को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : नारनौद		जिला : हिसार		राज्य : हरियाणा		
गाँव का नाम	हदबस्त संख्या	मुस्तातिल संख्या	खसरा/किला संख्या	हेक्टेयर	एयर	वर्ग मीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. लौहारी राघो	82	2	20	00	00	50
		50	24	00	01	77
2. मोठ रागरान	88	2	18	00	00	75
		25	25/1	00	01	51
			25/2	00	03	28
			25/3/1	00	00	50
			25/3/2	00	01	01

[फा. सं. आर-31015/41/2009-ओआर II]

ए. गोस्वामी, अवसर सचिव

New Delhi, the 15th November, 2010

S.O. 2873.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of Petroleum Products from Raman Mandi in the State of Punjab to Bahadurgarh in the State of Haryana for implementation of "GGSR Products Evacuation Project pipeline from Raman Mandi to Bahadurgarh", should be laid by the Hindustan Petroleum Corporation Limited;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said schedule may, within twenty-one days from the date on which the copies of this notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein or laying of the pipeline under the land, to Shri Prahlad Singh, Competent Authority (Haryana), Hindustan Petroleum Corporation Limited, Guru Gobind Singh Refinery Product Evacuation Project, SCF No. - 29, Sector - 6 Market, Bahadurgarh - 124507, Haryana.

SCHEDULE

Tehsil : Narnaund		District : Hisar			State : Haryana	
Name of Village	Hadbast No.	Mustatil No.	Khasra/Killa No.	Hectare	Area Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. Lohari Ragho	82	2	20	00	00	50
		50	24	00	01	77
2. Moth Rangran	88	2	18	00	00	75
		25	25/1	00	01	51
			25/2	00	03	28
			25/3/1	00	00	50
			25/3/2	00	01	01

[F.No. R-31015/41/2009-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 15 नवम्बर, 2010

का.आ. 2874.—केन्द्रीय सरकार को लोक हित में यह आवश्यक प्रतीत होता है कि पंजाब राज्य में रमन मंडी से हरियाणा राज्य में बहादुरगढ़ तक, पेट्रोलियम तेल के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा "जी जी एस आर उत्पाद निष्क्रमण परियोजना" के कार्यान्वयन हेतु एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है और जिसमें पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाने के संबंध में श्री प्रहलाद सिंह, (हरियाणा), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, गुरु गोबिन्द सिंह रिफाइनरी उत्पाद निष्क्रमण परियोजना, एस सी एफ नं.-29, सेक्टर-6, बहादुरगढ़-124 507, हरियाणा को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : हांसी		जिला : हिसार		राज्य : हरियाणा		
गाँव का नाम	हदबस्त संख्या	मुस्ततिल संख्या	खसरा/किला संख्या	क्षेत्रफल		
				हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. बडछप्पर	61	65	10	00	02	78

[फा. सं. आर-31015/10/2009-ओआर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 15th November, 2010

S.O. 2874.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of Petroleum Products from Raman Mandi in the State of Punjab to Bahadurgarh in the State of Haryana for implementation of “GGSR Products Evacuation Project pipeline from Raman Mandi to Bahadurgarh”, should be laid by the Hindustan Petroleum Corporation Limited;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein or laying of the pipeline under the land, to Shri Prahlad Singh, Competent Authority (Haryana), Hindustan Petroleum Corporation Limited, Guru Gobind Singh Refinery Product Evacuation Project, SCF No. - 29, Sector - 6 Market, Bahadurgarh - 124 507, Haryana.

SCHEDULE

Tehsil : Hansi		District : Hisar		State : Haryana		
Name of Village	Hadbast No.	Mustatil No.	Khasra/ Killa No.	Area		
				Hectare	Acre	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. Badchhappar	61	65	10	00	02	78

[F. No. R-31015/10/2009-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 15 नवम्बर, 2010

का.आ. 2875.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि पंजाब राज्य में रमन मंडी से हरियाणा राज्य में बहादुरगढ़ तक, पेट्रोलियम तेल के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा 'जी जी एस आर उत्पाद निष्क्रमण परियोजना' के कार्यान्वयन हेतु एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है और जिसमें पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई भी व्यक्ति, जो उक्त अनुसूची में धर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाने के संबंध में श्री प्रहलाद सिंह, (हरियाणा), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, गुरु गोबिन्द सिंह रिफाइनरी उत्पाद निष्क्रमण परियोजना, एस सी एफ नं.-29, सेक्टर-6, बहादुरगढ़-124 507, हरियाणा को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : बरवाला		जिला : हिसार		राज्य : हरियाणा		
गाँव का नाम	हदबस्त संख्या	मुस्ततिल संख्या	खसरा/किसा संख्या	क्षेत्रफल		
				हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. पावड़ा	65	196	4	00	00	25
		476	10/2	00	05	31
		630	10	00	06	83
			11	00	07	33
			12	00	13	91
			13	00	03	05
			18	00	06	32
			19	00	00	25
2. इशरहेडी	126	11	8	00	00	50
			9/1	00	00	25
3. भैणी बादशाहपुर	125	38	23	00	03	29
4. बधावड़	19	53	20	00	00	25
		78	4/1/2	00	07	34
		99	21	00	01	01
5. दाड		8	3	00	03	03
			7/1	00	01	51
			9	00	02	02
			75	00	01	76
6. ब्याना खेड़ा	16	134	20	00	00	25

[फा. सं. आर-31015/16/2009-ओआर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 15th November, 2010

375.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the purpose of transport of Petroleum Products from Raman Mandi in the State of Punjab to Bahadurgarh in the State of Haryana for

implementation of "GGSR Products Evacuation Project pipeline from Raman Mandi to Bahadurgarh", should be laid by the Hindustan Petroleum Corporation Limited ;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein ;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein or laying of the pipeline under the land, to Shri Prahlad Singh, Competent Authority (Haryana), Hindustan Petroleum Corporation Limited, Guru Gobind Singh Refinery Product Evacuation Project, SCF No. - 29, Sector - 6 Market, Bahadurgarh - 124507, Haryana.

SCHEDULE

Tehsil : Barwala		District : Hisar		State : Haryana		
Name of Village	Hadbast No.	Mustatil No.	Khasra/ Killa No.	Area		
				Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. Pabra	65	196	4	00	00	25
			10/2	00	05	31
			10	00	06	83
			11	00	07	33
			12	00	13	91
			13	00	03	03
			18	00	06	32
			19	00	00	25
2. Iserheri	126	11	8	00	00	50
			9/1	00	00	25
3. Bhaini Badshahpur	125	38	23	00	03	29
4. Badhawar	19	53	20	00	00	25
		78	4/1/2	00	07	34
		99	21	00	01	01
5. Dhad		8	3	00	03	03
			7/1	00	01	51
			9	00	02	02
			75	00	01	76
6. Biyana Khera	16	134	20	00	00	25

नई दिल्ली, 19 नवम्बर, 2010

का.आ. 2876.—पेट्रोलियम और खनिज पाइप लाइन (भू उपयोग अधिकार अधिग्रहण) अधिनियम, 1962 (1962 के 50) के खंड 2 की धारा (क) के अनुसरण में, केन्द्र सरकार एतद्वारा श्री एस. बी. दुबे, डिप्टी जिला कलेक्टर (सब-डिविजनल ऑफिसर, मन्गांव, जिला रायगढ़), महाराष्ट्र सरकार को महाराष्ट्र राज्य की सीमा में हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड (एचपीसीएल) की उरान-चाकण/शिक्रापुर एलपीजी पाइप लाइन परियोजना के लिए उक्त अधिनियम के तहत सक्षम प्राधिकारी के रूप में प्रतिनियुक्ति पर कार्य निष्पादन करने के लिए प्राधिकृत करती है।

[फा.सं.आर-31015/6/2004 ओआर II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 19th November, 2010

S.O. 2876.—In pursuance of clause (a) of section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby authorizes Shri S. B. Dubey, Deputy District Collector (Sub Divisional Officer, Mangaon, Dist. Raighad), Government of Maharashtra on deputation to Hindustan Petroleum Corporation Ltd. (HPCL) to perform the functions of Competent Authority for HPCL's Uran-Chakan/Shikrapur L.P.G Pipeline Project under the said Act, within the Territory of Maharashtra.

[F.No. R-31015/6/2004-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 19 नवम्बर, 2010

का.आ. 2877.—पेट्रोलियम और खनिज पाइप लाइन (भू उपयोग अधिकार अधिग्रहण) अधिनियम, 1962 (1962 के 50) के खंड 2 की धारा (क) के अनुसरण में तथा भारत सरकार पेट्रोलियम और प्राकृतिक गैस मंत्रालय की दिनांकित 7-9-2009 की अधिसूचना संख्या एसओ 2306 (ई) को निरस्त करते हुए केन्द्र सरकार एतद्वारा श्री आशीष मोहन, दानिक्स/एसडीएम (नजफगढ़), राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार को राष्ट्रीय राजधानी क्षेत्र, दिल्ली की सीमा में हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड (एचपीसीएल) की एमडीपीएल उत्पाद पाइप लाइन के अंग बहादुरगढ़-टीकरीकलां स्पूरलाइन पाइप लाइन परियोजना के लिए उक्त अधिनियम के तहत, अपने कर्तव्यों के साथ-साथ, सक्षम प्राधिकारी के रूप में कार्य निष्पादन करने के लिए प्राधिकृत करती है।

[फा. सं.आर-31015/6/2004-ओआर II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 19th November, 2010

S.O. 2877.—In pursuance of clause (a) of section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) and in supersession of Notification of the Government of India in Ministry of Petroleum & Natural Gas No. S.O. 2306(E) dated 7-9-2009, the Central Government hereby authorizes Shri Ashish Mohan, DANICS/SDM (Najafgarh), Government of NCT of Delhi to perform the functions of Competent Authority for Bahadurgarh-Tikrikalan spurlines as a part of MDPL product pipeline of Hindustan Petroleum Corporation Limited, in addition to his own duties, under the said Act, within the territory of NCT Delhi.

[F.No. R-31015/6/2004-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 12 नवम्बर, 2010

का. आ. 2878.— भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि तमिलनाडु में तिरुतनी के पास विजयवाडा-नैल्लोर-चैन्नई पाइपलाइन के टर्मिनल प्वाइंट से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा चैन्नई-ट्यूटीकोरिन पाइपलाइन विछाई जानी चाहिए;

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपावद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाई जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री वी. वेंकटमुत्तु, सक्षम प्राधिकारी, रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड, न. 89, डॉ. राधाकृष्णन सलाई, छठवीं मंजिल, मैलापुर, चैन्नई - 600004, तमिलनाडु राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तालुक : जिंजी	जिला : विल्लुपुरम	राज्य : तमिलनाडु		
गाँव का नाम	सर्वे सं./ सब डिविजन सं.	आर.ओ.यू.अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि एयर
1	2	3	4	5
1) टेप्पीरंपटु	189	00	50	57
	171	00	08	54
	174	00	58	45
	84/2सी	00	07	08
	84/2बी	00	17	91
	84/2ए	00	00	10
	84/2डी	00	09	75
	84/2ई	00	04	31
	84/3	00	04	06
	175/2	00	00	74
	84/1ए	00	14	53
	84/4ए	00	25	48
	84/6	00	02	10
	84/7	00	02	39
	84/8	00	02	20
	84/9	00	02	38
	86/1	00	02	30
	84/10	00	04	81
	84/11	00	03	32
	84/12	00	04	26

1	2	3	4	5
1) टेप्पीरंपटु (निरंतर)	84/13	00	04	92
	85/5	00	12	86
	85/6	00	01	58
	85/4	00	04	40
	85/3	00	06	52
	85/2	00	00	10
	90/2सी	00	12	93
	90/2वी	00	07	07
	90/2ए	00	06	50
	90/1वी	00	00	84
	90/4	00	02	50
	90/1एफ	00	00	23
	90/1जी	00	00	31
	90/1एच	00	00	33
	90/3वी	00	07	01
	90/3ए	00	02	23
	90/3सी	00	05	23
	90/3ई	00	01	16
	90/3एफ	00	02	20
	91/8	00	18	18
	91/7	00	00	10
	92/5	00	11	49
	92/7	00	00	10
	92/6	00	02	80
	92/4	00	05	18
	92/2वी	00	09	12
	92/1	00	00	16
	80/3	00	05	92
	80/5	00	03	50
	80/2	00	07	91
	80/1	00	17	99
	180/8	00	08	00
	180/7	00	17	95
	180/5	00	07	58
	180/6	00	22	58
	180/4वी	00	05	39
	81/2	00	01	07
	81/1	00	12	04
	182	00	18	26
	188/4वी	00	06	91
	188/7ए	00	03	87
	188/7एफ	00	08	39
	188/7ई	00	01	63
	188/7जी	00	13	55
	188/7एच	00	05	68
	186	00	08	66

1	2	3	4	5
2) वैलामुर (मेल)	50 2/1	00	16	94
	491/2	00	01	15
	491/3	00	13	72
	491/4	00	02	76
	492/3	00	30	79
	491/5	00	00	30
	492/4एफ	00	08	20
	492/4जी	00	07	81
	492/4ई	00	04	53
	495	00	01	20
	494/1ए	00	15	71
	494/1बी	00	13	87
	494/2एफ	00	06	66
	494/2बी	00	08	93
	494/2ई	00	03	93
	494/2डी	00	01	79
	494/2सी	00	12	50
	494/3ए	00	01	02
	494/4	00	15	81
	496/1बी1/ए	00	46	13
	496/1बी1/सी	00	01	12
	496/1बी1/ई	00	15	50
	496/1बी1/डी	00	02	22
	498	00	03	26
	496	00	06	88
	496/1बी3/ए	00	02	66
	355/1	00	09	05
	355/2	00	02	43
	355/4	00	04	60
	355/5	00	01	60
	355/6	00	04	76
	487/3	00	00	13
	487/2	00	08	70
	487/4	00	05	60
	486/3	00	02	73
	486/2	00	00	48
	486/4	00	10	36
	481/1बी	00	36	31
	481/1सी	00	10	45
	485/7	00	01	85
	485/8	00	31	30
	482/1	00	42	09
	455/2ए	00	08	42
	365/2	00	08	80
	455/2बी	00	23	73
	483/2	00	13	85

1	2	3	4	5
2) वैलापुर (मिल) (निरंतर)	455/2मी	00	11	39
	455/1वी1	00	01	06
	455/1वी2	00	04	82
	455/1मी	00	27	71
	367	00	43	97
	109	00	00	10
	72/1	00	03	42
	72/2वी	00	02	42
	72/2मी	00	03	30
	72/2एफ	00	05	20
	72/2डी	00	00	49
	72/2ई	00	03	04
	31/5ए	00	00	50
	31/1ए	00	10	88
	31/1वी	00	02	38
	31/2ए	00	00	81
	73/10ए	00	14	06
	73/9ए	00	00	13
	73/9वी	00	00	55
	73/9मी	00	01	84
	73/10वी	00	02	51
	73/9ई	00	07	38
	73/9डी	00	02	60
	73/9एफ	00	03	50
	73/9जी	00	01	22
	73/8एच	00	00	49
	73/8आइ	00	01	26
	73/8जे	00	01	76
	73/8के	00	14	21
	73/8एल	00	08	57
	73/7ई	00	01	72
	73/7एफ	00	00	77
	70	00	65	53
	74/5वी	00	00	21
	71/8	00	00	10
	396/1	00	27	46
	397/1	00	00	10
	397/2	00	03	98
	396/2ए	00	00	22
	390	00	47	28
	392/4ए	00	02	58
	392/1वी	00	10	96
	392/1ए	00	07	66
	392/3वी	00	00	38
	392/3ए	00	04	92
	392/2मी	00	09	80

1	2	3	4	5
2) वैलापुर (मेल) (निरंतर)	392/2वी	00	01	80
	392/2ए	00	01	27
	393/4ए	00	10	71
	393/4वी	00	08	27
	393/3डी	00	00	10
	36/6ए1	00	09	17
	36/5ई	00	11	51
	36/5डी	00	07	36
	36/5मी	00	03	54
	38/3डी	00	00	14
	38/3ए	00	06	62
	38/3मी	00	00	47
	38/3वी	00	04	80
	36/1	00	02	28
	38/2	00	09	95
	38/1	00	00	75
	38/6ए	00	02	21
	38/5ए	00	07	75
	38/5वी	00	01	63
	38/5मी	00	08	19
	37/3सी	00	00	10
	37/4वी	00	17	28
	53	00	71	12
	52/1आइ	00	07	72
	52/2ए	00	01	00
	52/2वी	00	03	10
	51/2	00	18	91
	51/1ए	00	03	04
	51/1वी	00	16	64
	398/3	00	10	52
	398/5जी	00	03	95
	398/5वी	00	00	14
	398/5एच	00	10	37
	398/6वी	00	32	94
	273/1	00	17	45
	सर्वे न. 401 में गस्ता	00	07	77
	406/4	00	33	56
	406/3ए4	00	09	59
	406/3मी1	00	01	27
	406/3ए3	00	12	18
	406/3ए2	00	01	52
	406/3वी1	00	16	77
	406/3वी2	00	05	43
	406/2मी	00	00	10
	405	00	41	37
	404/2	00	02	28
	404/3	00	02	00

1	2	3	4	5
2) वैलापुर (मिल) (निरंतर)	404/4	00	02	32
3) टलंकुराम	211/1बी2	00	16	49
	212/3	00	26	29
	214/6	00	11	07
	214/3	00	16	68
	214/1	00	05	18
	214/2मी2	00	08	58
	214/2मी3	00	08	57
	214/2मी4	00	11	52
	215/1मी3	00	03	06
	215/1मी2	00	00	48
	215/1मी4	00	05	17
	215/1मी1	00	03	64
	215/3मी	00	12	04
	215/2बी1	00	00	13
	215/2ए3ए	00	09	87
	215/2ए3बी	00	01	94
	सर्वे न. 215/2ए2 में रास्ता	00	05	99
	232	00	00	10
	215/3	00	03	67
	216/1जी	00	00	21
	216/1ए1ए	00	07	51
	216/1ए1बी	00	20	15
	217/8	00	01	05
	सर्वे न. 217/1 में रास्ता	00	05	50
	217/7	00	00	67
	217/38	00	05	00
	217/39	00	05	55
	217/40	00	05	96
	217/41	00	04	15
	217/5	00	02	32
	217/3	00	29	14
	91/2	00	00	28
	91/1	00	25	14
	91/4	00	14	93
	90	00	03	01
	89/9ए	00	12	31
	91/6	00	00	81
	215/2ए1/बी	00	00	11
	89/8ए	00	00	10
	89/9बी	00	10	21
	89/8बी	00	08	08

1	2	3	4	5
3) टलंकुराम (निरंतर)	89/7	00	00	10
	89/1	00	01	24
	88/1	00	04	54
	88/2	00	19	04
	88/3	00	00	60
	87/4	00	14	22
	96	01	52	43
	81/3वी	00	00	88
	81/4वी	00	04	60
	81/6	00	02	31
	81/5ए	00	19	11
	81/5वी	00	31	42
	80/1	00	12	36
	79/2	00	17	85
	79/1ए	00	00	46
	79/21	00	00	10
	79/1वी	00	23	55
	79/1सी	00	05	87

तालुक अतिरिक्तोयलु	जिला शिविल्लुपुरम	राज्य शतमिलनाडु	
1) पल्लिच्चंडल	83/2ए	00	07 76
	83/2वी	00	07 74
	83/1	00	08 45
	83/8	00	09 96
	83/10	00	12 52
	सर्वे न. 83/3सी1 में रास्ता	00	02 85
	83/3सी2ए	00	08 95
	83/3सी2वी	00	09 20
	83/4ए	00	09 21
	83/13	00	00 24
	83/4	00	12 43
	83/4वी	00	12 05
	84/2वी	00	02 71
	84/2ए5	00	10 45
	83/5	00	05 20
	85/2सी2वी	00	06 26
	85/2सी2सी	00	01 58
	85/3	00	04 52
	85/8	00	02 64
	85/4वी	00	02 94
	86/2	00	00 43
	86/3	00	27 75
	86/5	00	09 15
	86/4	00	01 72

1	2	3	4	5
1) पल्लिव्यंङल (निरंतर)	86/6वी2	00	03	77
	86/6वी1	00	03	14
	62/16वी	00	07	62
	62/10+16ए	00	10	94
	62/17वी	00	11	34
	62/18मी	00	01	75
	62/18वी	00	16	42
	62/18ए	00	03	50
	62/18ई	00	03	32
	60/1ए	00	03	39
	60/1वी	00	04	64
	60/3ए	00	04	67
	60/4ए1	00	14	94
	60/4ए2	00	05	35
	60/3वी	00	01	21
	60/10मी1	00	05	36
	60/5ए	00	03	55
	60/10मी2	00	01	39
	60/10मी3	00	00	23
	60/9वी1	00	15	10
	60/9वी2	00	02	03
	60/9वी7	00	01	98
	60/9वी6	00	04	71
	60/12वी1	00	27	37
	60/12वी2	00	00	10
	60/12वी3	00	11	30
	57/6ए1	00	00	21
	59/10	00	05	12
	59/1ए	00	12	75
	मवे न. 59 में गस्ता	00	10	69
	59/17	00	00	10
	59/18	00	00	52
	59/19	00	00	82
	59/20	00	00	92
	59/21	00	01	02
	57/1	00	15	94
	59/5ए	00	02	43
	मवे न. 59/7 में गस्ता	00	05	73
	59/12ए	00	01	99
	59/11मी	00	00	14
	59/5वी	00	02	06
	59/12मी	00	01	66

1	2	3	4	5
1) पल्लिचंडल (निरंतर)	55/8मी2	00	03	72
	59/12वी	00	09	30
	55/10ए	00	01	07
	55/11ए	00	08	31
	55/12ए1	00	00	55
	55/11वी	00	07	01
	55/12ए2	00	02	96
	55/12ए3	00	06	57
	55/11मी	00	03	35
	40/1ए	00	00	10
	40/1वी	00	09	40
	39/2वी1	00	02	21
	39/1ए	00	06	17
	40/2ए2	00	04	01
	40/2वी2	00	02	09
	39/1वी	00	08	55
	40/4	00	11	42
	39/8ए	00	00	75
	39/8वी	00	01	18
	39/8मी	00	03	97
	39/8वी	00	05	65
	39/8एफ	00	07	12
	40/5	00	00	46
	40/6	00	03	03
	40/7	00	03	44
	40/8	00	04	80
	40/9	00	02	96
	40/10	00	00	10
	40/3	00	14	60
	41/4	00	30	14
	48/7	00	06	72
	48/10	00	00	38
	48/11	00	02	64
	48/12	00	02	76
	48/13	00	04	85
	48/14	00	14	75
	48/6	00	03	10
	48/15	00	03	00
	48/16	00	02	01
	48/17	00	01	91
	48/19	00	02	57
	42	00	05	33

1	2	3	4	5
1) पल्लिच्चंडल (निरंतर)	सर्वे न. 107 में रास्ता	00	04	14
	43/3	00	04	80
	47/17	00	07	04
	47/18	00	05	16
	47/16	00	07	45
	47/15	00	08	37
	43/8	00	03	72
	43/9	00	10	32
	43/10ए	00	08	66
	43/10बी	00	03	81
	43/11	00	05	79
	43/13	00	02	23
	सर्वे न. 100 में रास्ता	00	44	72

तालुक : शंकरापुरम	जिला : विल्लुपुरम	राज्य : तमिलनाडु		
1) श्रीपदनाल्लुर	सर्वे न. 210 में नदी	00	48	65
	86	00	20	46
	सर्वे न. 85 में नाला	00	05	29
	84/5	00	04	27
	84/3	00	03	53
	84/2	00	02	87
	84/1	00	00	10
	84/4ए	00	03	58
	84/4बी	00	02	84
	84/13	00	02	93
	84/14	00	02	50
	84/12	00	08	62
	84/11ए	00	00	63
	84/11बी	00	01	09
	84/22	00	04	12
	84/18ए	00	04	26
	84/19ए	00	02	17
	84/19बी	00	01	97
	84/21	00	04	42
	83	00	18	86
	81	00	51	09
	64/1	00	42	13
	50/6डी	00	11	21
	50/6ई	00	06	37
	50/6एफ	00	07	77
	51/9ए	00	08	07
	51/6बी	00	01	69
	51/6डी1	00	03	30
	51/7बी	00	07	74

1	2	3	4	5
1) श्रीपदनल्लुर (निरंतर)	51/9वी	00	03	73
	51/8वी	00	12	68
	61/1	00	09	38
	61/2	00	08	75
	61/3	00	04	95
	61/4	00	04	20
	61/6	00	13	11
	61/7	00	03	69
	61/10ए	00	04	07
	61/10वी	00	04	69
	61/11मी	00	07	45
	61/11वी	00	07	41
	60/1ए	00	04	14
	60/1वी	00	05	71
	60/2ए2	00	03	40
	60/2ए1	00	04	60
	60/2वी	00	03	03
	60/2मी	00	04	66
	22/1	00	00	88
	22/2	00	02	78
	22/3	00	18	11
2) जंबादाय	161/1ए1	00	01	59
	161/1ए2	00	01	93
	161/1ए3	00	07	58
	161/1वी	00	07	12
	164/2	00	22	93
	164/1	00	17	61
	164/4	00	24	74
	164/7ए	00	02	76
	165/2ए	00	21	93
	165/2वी	00	02	52
	165/2मी	00	18	16
	166	00	72	79
	175/3	00	10	77
	175/2	00	01	34
	175/8	00	12	95
	175/4	00	32	36
	178/7	00	14	13
	178/1	00	22	76
	178/4	00	00	56
	178/3	00	23	80
	178/5	00	18	40

1	2	3	4	5
2) जंवादाय (निरंतर)	178/2	00	01	44
	187/5	00	06	71
	187/7	00	05	89
	187/4	00	20	46
	187/1	00	07	73
	187/3	00	06	39
	188/3	00	04	67
	188/1	00	13	85
	188/2	00	26	98
	212/1	00	00	10
	212/2	00	01	02
	212/3	00	02	49
	212/4	00	04	35
	212/7	00	12	16
	211	00	74	95
	210/1	00	15	85
3) श्रीपन्नदल	136/3ए	00	02	75
	136/3वी	00	00	99
	136/2	00	12	23
	136/1ए	00	03	91
	136/1वी	00	16	06
	136/14ए	00	02	65
	136/14वी	00	00	27
	137/1	00	00	19
	137/2	00	05	25
	137/3	00	12	52
	137/4	00	19	05
	128/1सी	00	06	86
	128/1डी	00	01	09
	128/2वी	00	05	76
	128/2सी	00	08	63
	128/2ए	00	00	10
	128/6सी	00	00	97
	128/6ए	00	06	65
	128/6वी	00	04	36
	128/5वी	00	04	57
	128/8ए	00	01	35
	128/7वी1	00	12	69
	128/7वी2	00	01	15
	128/9वी3	00	04	90
	128/9वी2	00	06	81
	128/9वी1	00	00	46

1	2	3	4	5
3) श्रीपन्नदल (निरंतर)	128/4वी3	00	00	42
	128/4वी2	00	07	18
	128/4वी1	00	05	54
	143/3	00	00	19
	सर्वे न. 127/1 में गस्ता	00	02	99
	127/2	00	04	18
	143/4	00	13	65
	143/5	00	13	13
	143/2मी1	00	02	44
	143/1वी	00	02	05
	143/2ए1जी	00	00	05
	143/2ए2	00	00	49
	143/2ए3मी	00	00	21
	143/2मी2	00	01	77
	144/6ए	00	00	89
	144/6वी	00	35	63
	150/2	00	11	95
	150/1वी1	00	13	26
	150/1मी1	00	12	17
	सर्वे न. 150/3 में गस्ता	00	04	41
	150/1मी2	00	08	27
	150/1मी3	00	04	44
	149/1ए	00	00	10
	149/1वी	00	12	21
	149/2	00	05	10
	149/3	00	13	82
	181/1	00	02	44
	183	00	05	54
	184/9ए	00	21	74
	184/3वी	00	01	77
	184/9मी	00	02	10
	185/3मी	00	02	93
	185/3वी	00	16	91
	185/3ए	00	02	49
	185/5ए	00	06	84
	185/4	00	13	50
	185/8	00	10	17
	185/7	00	16	88
	सर्वे न. 185/9 में गस्ता	00	04	07
	186/1ए एच	00	03	75
	186/1ए जी	00	00	10
	186/1ए सी	00	01	70

1	2	3	4	5
3) श्रीपल्लदल (निरंतर)	186/1ए ई	00	04	18
	186/1ए बी	00	03	36
	186/1जेड	00	00	14
	186/1ए डी	00	02	87
	186/1ए ए	00	01	64
	186/1वाय	00	02	14
	186/5	00	01	63
	186/4	00	09	95
	186/3	00	13	05
	186/2	00	08	80
	186/1बी1	00	00	12
	186/1डब्ल्यू	00	00	59
	187/1ए	00	11	81
	187/2ए	00	03	19
	188	00	25	72
	200/6ए	00	00	34
	200/6ई	00	07	62
	200/6आड	00	01	68
	200/6बी	00	01	81
	200/6एफ	00	02	50
	200/6जी	00	03	19
	200/6एच	00	01	70
	200/6एम	00	00	10
	200/6एन	00	09	48
	200/6डी	00	00	84
	201/3ए	00	00	32
	201/3बी	00	07	26
	201/4ए	00	03	39
	201/1ए15	00	01	38
	201/1ए14	00	02	93
	201/5ए	00	04	59
	भर्षे न. 201 में गम्ता	00	04	98
	201/5मी	00	00	31
	201/6बी	00	05	57
	202	00	05	99
	205/2	00	08	44
	205/3	00	22	88
	205/1मी4	00	19	64
	207/5ए	00	06	90
	207/7ए	00	03	84
	207/9	00	02	48
	207/10	00	00	25

1	2	3	4	5
3) श्रीपन्नदल (निरंतर)	207/3ए	00	06	89
	207/4	00	16	63
	208/2	00	16	69
	208/3ए	00	04	23
	208/3बी	00	09	74
	208/5	00	08	87
	209	00	19	07

[फा सं. एल.-14014/82/2010-जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 12th November, 2010

S. O. 2878.— Whereas it appears to Government of India that it is necessary in public interest that for transportation of Natural Gas from terminal point of Vijayawada – Nellore – Chennai pipeline near Tiruttani in TamilNadu to consumers in various parts of the country, Chennai - Tuticorin pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of this notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri V. Venkatasubbu, Competent Authority, Relogistics Infrastructure Limited, No. 89, Dr. RadhaKrishnan Salai, 6th Floor, Mylapore, Chennai - 600004, Tamil Nadu State.

Schedule

Taluk: Gingee		District: Villupuram		State: Tamil Nadu	
Village	Survey No./Sub-Division No.	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Teppirampattu	189	00	50	57	
	171	00	08	54	
	174	00	58	45	
	84/2C	00	07	08	
	84/2B	00	17	91	
	84/2A	00	00	10	
	84/2D	00	09	75	
	84/2E	00	04	31	
	84/3	00	04	06	
	175/2	00	00	74	
	84/1A	00	14	53	
	84/4A	00	25	48	
	84/6	00	02	10	
	84/7	00	02	39	
	84/8	00	02	20	
	84/9	00	02	38	
	86/1	00	02	30	
	84/10	00	04	81	
	84/11	00	03	32	
	84/12	00	04	26	
	84/13	00	04	92	
	85/5	00	12	86	
	85/6	00	01	58	
	85/4	00	04	40	
	85/3	00	06	52	
	85/2	00	00	10	
	90/2C	00	12	93	
	90/2B	00	07	07	
	90/2A	00	06	50	
	90/1B	00	00	84	
	90/4	00	02	50	
	90/1F	00	00	23	
	90/1G	00	00	31	
	90/1H	00	00	33	
	90/3B	00	07	01	
	90/3A	00	02	23	
	90/3C	00	05	23	

1	2	3	4	5
1) Teppirampattu (Contd)	90/3E	00	01	16
	90/3F	00	02	20
	91/8	00	18	18
	91/7	00	00	10
	92/5	00	11	49
	92/7	00	00	10
	92/6	00	02	80
	92/4	00	05	18
	92/2B	00	09	12
	92/1	00	00	16
	80/3	00	05	92
	80/5	00	03	50
	80/2	00	07	91
	80/1	00	17	99
	180/8	00	08	00
	180/7	00	17	95
	180/5	00	07	58
	180/6	00	22	58
	180/4B	00	05	39
	81/2	00	01	07
	81/1	00	12	04
	182	00	18	26
	188/4B	00	06	91
	188/7A	00	03	87
	188/7F	00	08	39
	188/7E	00	01	63
	188/7G	00	13	55
	188/7H	00	05	68
	186	00	08	66
2) Vailamur(Mel)	502/1	00	16	94
	491/2	00	01	15
	491/3	00	13	72
	491/4	00	02	76
	492/3	00	30	79
	491/5	00	00	30
	492/4F	00	08	20
	492/4G	00	07	81
	492/4E	00	04	53
	495	00	01	20
	494/1A	00	15	71
	494/1B	00	13	87
	494/2F	00	06	66

1	2	3	4	5
2) Vailamur(Mel) (Contd)	494/2B	00	08	93
	494/2E	00	03	93
	494/2D	00	01	79
	494/2C	00	12	50
	494/3A	00	01	02
	494/4	00	15	81
	496/1B1/A	00	46	13
	496/1B1/C	00	01	12
	496/1B1/E	00	15	50
	496/1B1/D	00	02	22
	498	00	03	26
	496	00	06	88
	496/1B3/A	00	02	66
	355/1	00	09	05
	355/2	00	02	43
	355/4	00	04	60
	355/5	00	01	60
	355/6	00	04	76
	487/3	00	00	13
	487/2	00	08	70
	487/4	00	05	60
	486/3	00	02	73
	486/2	00	00	48
	486/4	00	10	36
	481/1B	00	36	31
	481/1C	00	10	45
	485/7	00	01	85
	485/8	00	31	30
	482/1	00	42	09
	455/2A	00	08	42
	365/2	00	08	80
	455/2B	00	23	73
	483/2	00	13	85
	455/2C	00	11	39
	455/1B1	00	01	06
	455/1B2	00	04	82
	455/1C	00	27	71
	367	00	43	97
	109	00	00	10
	72/1	00	03	42
	72/2B	00	02	42
	72/2C	00	03	30

1	2	3	4	5
2) Vailamur(Mel) (Contd)	72/2F	00	05	20
	72/2D	00	00	49
	72/2E	00	03	04
	31/5A	00	00	50
	31/1A	00	10	88
	31/1B	00	02	38
	31/2A	00	00	81
	73/10A	00	14	06
	73/9A	00	00	13
	73/9B	00	00	55
	73/9C	00	01	84
	73/10B	00	02	51
	73/9E	00	07	38
	73/9D	00	02	60
	73/9F	00	03	50
	73/9G	00	01	22
	73/8H	00	00	49
	73/8I	00	01	26
	73/8J	00	01	76
	73/8K	00	14	21
	73/8L	00	08	57
	73/7E	00	01	72
	73/7F	00	00	77
	70	00	65	53
	74/5B	00	00	21
	71/8	00	00	10
	396/1	00	27	46
	397/1	00	00	10
	397/2	00	03	98
	396/2A	00	00	22
	390	00	47	28
	392/4A	00	02	58
	392/1B	00	10	96
	392/1A	00	07	66
	392/3B	00	00	38
	392/3A	00	04	92
	392/2C	00	09	80
	392/2B	00	01	80
	392/2A	00	01	27
	393/4A	00	10	71
	393/4B	00	08	27
	393/3D	00	00	10

1	2	3	4	5
2) Vailamutt Mel) (Contd)	36/6A1	00	09	17
	36/5E	00	11	51
	36/5D	00	07	36
	36/5C	00	03	54
	38/3D	00	00	14
	38/3A	00	06	62
	38/3C	00	00	47
	38/3B	00	04	80
	36/1	00	02	28
	38/2	00	09	95
	38/1	00	00	75
	38/6A	00	02	21
	38/5A	00	07	75
	38/5B	00	01	63
	38/5C	00	08	19
	37/3C	00	00	10
	37/4B	00	17	28
	53	00	71	12
	52/11	00	07	72
	52/2A	00	01	03
	52/2B	00	03	15
	51/2	00	18	91
	51/1A	00	03	04
	51/1B	00	16	64
	398/3	00	10	52
	398/5G	00	03	95
	398/5B	00	00	14
	398/5H	00	10	37
	398/6B	00	32	94
	273/1	00	17	45
	Road in Survey No.401	00	07	77
	406/4	00	33	56
	406/3A4	00	09	59
	406/3C1	00	01	27
	406/3A3	00	12	18
	406/3A2	00	01	52
	406/3B1	00	16	77
	406/3B2	00	05	43
	406/2C	00	00	10
	405	00	41	37
	404/2	00	02	28
	404/3	00	02	00

1	2	3	4	5
2) Vailamur(Mel) (Contd)	404/4	00	02	32
3) Talankunram	211/1B2	00	16	49
	212/3	00	26	29
	214/6	00	11	07
	214/3	00	16	68
	214/1	00	05	18
	214/2C2	00	08	58
	214/2C3	00	08	57
	214/2C4	00	11	52
	215/1C3	00	03	06
	215/1C2	00	00	48
	215/1C4	00	05	17
	215/1C1	00	03	64
	215/3C	00	12	04
	215/2B1	00	00	13
	215/2A3A	00	09	87
	215/2A3B	00	01	94
	Road in Survey No.215/2A2	00	05	99
	232	00	00	10
	215/3	00	03	67
	216/1G	00	00	21
	216/1A1A	00	07	51
	216/1A1B	00	20	15
	217/8	00	01	05
	Road in Survey No.217/1	00	05	50
	217/7	00	00	67
	217/38	00	05	00
	217/39	00	05	55
	217/40	00	05	96
	217/41	00	04	15
	217/5	00	02	32
	217/3	00	29	14
	91/2	00	00	28
	91/1	00	25	14
	91/4	00	14	93
	90	00	03	01
	89/9A	00	12	31
	91/6	00	00	81
	215/2A1/B	00	00	11
	89/8A	00	00	10
	89/9B	00	10	21
	89/8B	00	08	08

1	2	3	4	5
3) Talankunram (Contd)	89/7	00	00	10
	89/1	00	01	24
	88/1	00	04	54
	88/2	00	19	04
	88/3	00	00	60
	87/4	00	14	22
	96	01	52	43
	81/3B	00	00	88
	81/4B	00	04	60
	81/6	00	02	31
	81/5A	00	19	11
	81/5B	00	31	42
	80/1	00	12	36
	79/2	00	17	85
	79/1A	00	00	46
	79/21	00	00	10
	79/1B	00	23	55
	79/1C	00	05	87

Taluk: Tirukkoyilur	District: Villupuram	State: Tamil Nadu
1) Pallichchandal	83/2A	00 07 76
	83/2B	00 07 74
	83/1	00 08 45
	83/8	00 09 96
	83/10	00 12 52
	Road in Survey No.83/3C1	00 02 85
	83/3C2A	00 08 95
	83/3C2B	00 09 20
	83/4A	00 09 21
	83/13	00 00 24
	83/4	00 12 43
	83/4B	00 12 05
	84/2B	00 02 71
	84/2A5	00 10 45
	83/5	00 05 20
	85/2C2B	00 06 26
	85/2C2C	00 01 58
	85/3	00 04 52
	85/8	00 02 64
	85/4B	00 02 94
	86/2	00 00 43
	86/3	00 27 75
	86/5	00 09 15
	86/4	00 01 72

1	2	3	4	5
1) Pallichchandal (Contd)	86/6B2	00	03	77
	86/6B1	00	03	14
	62/16B	00	07	62
	62/10+16A	00	10	94
	62/17B	00	11	34
	62/18C	00	01	75
	62/18B	00	16	42
	62/18A	00	03	50
	62/18E	00	03	32
	60/1A	00	03	39
	60/1B	00	04	64
	60/3A	00	04	67
	60/4A1	00	14	94
	60/4A2	00	05	35
	60/3B	00	01	21
	60/10C1	00	05	36
	60/5A	00	03	55
	60/10C2	00	01	39
	60/10C3	00	00	23
	60/9B1	00	15	10
	60/9B2	00	02	03
	60/9B7	00	01	98
	60/9B6	00	04	71
	60/12B1	00	27	37
	60/12B2	00	00	10
	60/12B3	00	11	30
	57/6A1	00	00	21
	59/10	00	05	12
	59/1A	00	12	75
	Road in Survey No.59	00	10	69
	59/17	00	00	10
	59/18	00	00	52
	59/19	00	00	82
	59/20	00	00	92
	59/21	00	01	02
	57/1	00	15	94
	59/5A	00	02	43
	Road in Survey No.59/7	00	05	73
	59/12A	00	01	99
	59/11C	00	00	14
	59/5B	00	02	06
	59/12C	00	01	66

1	2	3	4	5
1) Pallichchandal (Contd)	55/8C2	00	03	72
	59/12B	00	09	30
	55/10A	00	01	07
	55/11A	00	08	31
	55/12A1	00	00	55
	55/11B	00	07	01
	55/12A2	00	02	96
	55/12A3	00	06	57
	55/11C	00	03	35
	40/1A	00	00	10
	40/1B	00	09	40
	39/2B1	00	02	21
	39/1A	00	06	17
	40/2A2	00	04	01
	40/2B2	00	02	09
	39/1B	00	08	55
	40/4	00	11	42
	39/8A	00	00	75
	39/8B	00	01	18
	39/8C	00	03	97
	39/8D	00	05	65
	39/8F	00	07	12
	40/5	00	00	46
	40/6	00	03	03
	40/7	00	03	44
	40/8	00	04	80
	40/9	00	02	96
	40/10	00	00	10
	40/3	00	14	60
	41/4	00	30	14
	48/7	00	06	72
	48/10	00	00	38
	48/11	00	02	64
	48/12	00	02	76
	48/13	00	04	85
	48/14	00	14	75
	48/6	00	03	10
	48/15	00	03	00
	48/16	00	02	01
	48/17	00	01	91
	48/19	00	02	57
	42	00	05	33

1	2	3	4	5
1) Pallichandal (Contd)	Road in Survey No.107	00	04	14
	43/3	00	04	80
	47/17	00	07	04
	47/18	00	05	16
	47/16	00	07	45
	47/15	00	08	37
	43/8	00	03	72
	43/9	00	10	32
	43/10A	00	08	66
	43/10B	00	03	81
	43/11	00	05	79
	43/13	00	02	23
	River in Survey No.100	00	44	72

Taluk: Sankarapuram	District: Villupuram	State: Tamil Nadu		
1) Sripadanallur	River in Survey No.210	00	48	65
	86	00	20	46
	Nala in Survey No.85	00	05	29
	84/5	00	04	27
	84/3	00	03	53
	84/2	00	02	87
	84/1	00	00	10
	84/4A	00	03	58
	84/4B	00	02	84
	84/13	00	02	93
	84/14	00	02	50
	84/12	00	08	62
	84/11A	00	00	63
	84/11B	00	01	09
	84/22	00	04	12
	84/18A	00	04	26
	84/19A	00	02	17
	84/19B	00	01	97
	84/21	00	04	42
	83	00	18	86
	81	00	51	09
	64/1	00	42	13
	50/6D	00	11	21
	50/6E	00	06	37
	50/6F	00	07	77
	51/9A	00	08	07
	51/6B	00	01	69
	51/6D1	00	03	30
	51/7B	00	07	74

1	2	3	4	5
1) Sripadanallur (Contd)	51/9B	00	03	73
	51/8B	00	12	68
	61/1	00	09	38
	61/2	00	08	75
	61/3	00	04	95
	61/4	00	04	20
	61/6	00	13	11
	61/7	00	03	69
	61/10A	00	04	07
	61/10B	00	04	69
	61/11C	00	07	45
	61/11B	00	07	41
	60/1A	00	04	14
	60/1B	00	05	71
	60/2A2	00	03	40
	60/2A1	00	04	60
	60/2B	00	03	03
	60/2C	00	04	66
	22/1	00	00	88
	22/2	00	02	78
	22/3	00	18	11
2) Jambadai	161/1A1	00	01	59
	161/1A2	00	01	93
	161/1A3	00	07	58
	161/1B	00	07	12
	164/2	00	22	93
	164/1	00	17	61
	164/4	00	24	74
	164/7A	00	02	76
	165/2A	00	21	93
	165/2B	00	02	52
	165/2C	00	18	16
	166	00	72	79
	175/3	00	10	77
	175/2	00	01	34
	175/8	00	12	95
	175/4	00	32	36
	178/7	00	14	13
	178/1	00	22	76
	178/4	00	00	56
	178/3	00	23	80
	178/5	00	18	40

1	2	3	4	5
2) Jambadai (Contd)	178/2	00	01	44
	187/5	00	06	71
	187/7	00	05	89
	187/4	00	20	46
	187/1	00	07	73
	187/3	00	06	39
	188/3	00	04	67
	188/1	00	13	85
	188/2	00	26	98
	212/1	00	00	10
	212/2	00	01	02
	212/3	00	02	49
	212/4	00	04	35
	212/7	00	12	16
	211	00	74	95
	210/1	00	15	85
3) Sirpanandal	136/3A	00	02	75
	136/3B	00	00	99
	136/2	00	12	23
	136/1A	00	03	91
	136/1B	00	16	06
	136/14A	00	02	65
	136/14B	00	00	27
	137/1	00	00	19
	137/2	00	05	25
	137/3	00	12	52
	137/4	00	19	05
	128/1C	00	06	86
	128/1D	00	01	09
	128/2B	00	05	76
	128/2C	00	08	63
	128/2A	00	00	10
	128/6C	00	00	97
	128/6A	00	06	65
	128/6B	00	04	36
	128/5B	00	04	57
	128/8A	00	01	35
	128/7B1	00	12	69
	128/7B2	00	01	15
	128/9B3	00	04	90
	128/9B2	00	06	81
	128/9B1	00	00	46

1	2	3	4	5
3) Sirpanandal (Contd)	128/4B3	00	00	42
	128/4B2	00	07	18
	128/4B1	00	05	54
	143/3	00	00	19
	Road in Survey No.127/1	00	02	99
	127/2	00	04	18
	143/4	00	13	65
	143/5A	00	13	13
	143/2C1	00	02	44
	143/1B	00	02	05
	143/2A1G	00	00	05
	143/2A2	00	00	49
	143/2A3C	00	00	21
	143/2C2	00	01	77
	144/6A	00	00	89
	144/6B	00	35	63
	150/2	00	11	95
	150/1B1	00	13	26
	150/1C1	00	12	17
	Road in Survey No.150/3	00	04	41
	150/1C2	00	08	27
	150/1C3	00	04	24
	149/1A	00	00	10
	149/1B	00	12	27
	149/2	00	05	43
	149/3	00	13	82
	181/1	00	02	44
	183	00	05	54
	184/9A	00	21	74
	184/3B	00	01	77
	184/9C	00	02	10
	185/3C	00	02	93
	185/3B	00	16	91
	185/3A	00	02	49
	185/5A	00	06	84
	185/4	00	13	50
	185/8	00	10	17
	185/7	00	16	88
	Road in Survey No.185/9	00	04	07
	186/1AH	00	03	75
	186/1AG	00	00	10
	186/1AC	00	01	70

1	2	3	4	5
3) Sirpanandal (Contd)	186/1AE	00	04	18
	186/1AB	00	03	36
	186/1Z	00	00	14
	186/1AD	00	02	87
	186/1AA	00	01	64
	186/1Y	00	02	14
	186/5	00	01	63
	186/4	00	09	95
	186/3	00	13	05
	186/2	00	08	80
	186/1V1	00	00	12
	186/1W	00	00	59
	187/1A	00	11	81
	187/2A	00	03	19
	188	00	25	72
	200/6A	00	00	34
	200/6E	00	07	62
	200/6I	00	01	68
	200/6B	00	01	81
	200/6F	00	02	50
	200/6G	00	03	19
	200/6H	00	01	70
	200/6M	00	00	16
	200/6N	00	09	48
	200/6D	00	00	94
	201/3A	00	00	32
	201/3B	00	07	26
	201/4A	00	03	59
	201/1A15	00	01	38
	201/1A14	00	02	93
	201/5A	00	04	59
	Road in Survey No.201/1B	00	04	98
	201/5C	00	00	31
	201/6B	00	05	57
	202	00	05	99
	205/2	00	08	44
	205/3	00	22	88
	205/1C4	00	19	64
	207/5A	00	06	90
	207/7A	00	03	84
	207/9	00	02	48
	207/10	00	00	25

1	2	3	4	5
3) Sirpanandal (Contd)	207/3A	00	06	89
	207/4	00	16	63
	208/2	00	16	69
	208/3A	00	04	23
	208/3B	00	09	74
	208/5	00	08	87
	209	00	19	07

[F. No. L-14014/82/2010-GP]
SNEH P. MADAN, Under Secy

नई दिल्ली, 12 नवम्बर, 2010

का. आ. 2879.— भारत सरकार को लोकार्हित में यह आवश्यक प्रतीत होता है कि मेमर्स ग्लोएन्स इंडस्ट्रीज लिमिटेड की आन्ध्र प्रदेश में पूर्वी तट पर ऑनशोर टर्मिनल में देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मेमर्स ग्लोएन्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा काकीनाडा-वायुदेवपुर-हावड़ा पाइपलाइन विछाई जानी चाहिए:

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि, उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाई जाने का परभाव है और जो इस अधिसूचना में उपावद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है:

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अर्थानुसार की गई अधिसूचना की प्रतियाँ माध्याम जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाई जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री वज किशोर पंडा, सक्षम प्राधिकारी, ग्लोएन्स इन्फ्रास्ट्रक्चर लिमिटेड, प्रथम मंजिल, फोर्चुन टावर, चन्द्रशेखरपुर, भुवनेश्वर - 751023, ओडिशा राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

मंडल/ तेहसिल/ तालुक :वनपुर	जिला :खोरडा	राज्य : ओडिशा		
गाँव का नाम	सर्वे सं / सब डिविजन सं	आर.ओ.यू अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि एयर
1	2	3	4	5
1) नीलकंठपुर	41	00	01	55
	46	00	00	45
	36/45	00	12	65
	35/44	00	03	11
	34/43	00	00	10
	33/39	00	40	55
	26/32	00	02	27
	27/33	00	00	83
	17/21	00	24	91
	16/20	00	19	69
	14/18	00	00	20
	15/19	00	09	75
	9	00	02	90
2) जीबनदेईपुरससन	52	00	06	98
	53	00	02	68
	54	00	08	22
	51	00	08	96
	55	00	22	44
	36	00	06	66
	50	00	01	17
	48	00	04	80
	49	00	03	97
	47	00	07	16
	46	00	04	54
	45	00	01	85
	44	00	02	01
	8/9	00	01	45
	9/10	00	05	04
	43	00	09	29
	10/11	00	01	83
	12	00	02	68
	13	00	00	68
	14	00	10	12
	15	00	01	02
	41	00	00	28
	16/22	00	20	95
	15/21	00	01	62

1	2	3	4	5
2) जीबनदेईपुरससन (निरंतर)	26/32	00	10	24
	25/31	00	11	78
	34/71	00	00	26
	33/70	00	16	71
	36/73	00	00	14
	35/72	00	12	44
	40/79	00	14	17
	41/80	00	08	52
3) पैकेरापुर	165/391	00	08	60
	390	00	04	39
	161/385	00	01	60
	164/389	00	10	92
	388	00	01	92
4) नुआकोट	324	00	02	28
	43/323	00	00	70
	322	00	18	74
	327	00	08	28
	42/321	00	00	10
	41/320	00	02	65
	44/328	00	04	27
	40/319	00	05	61
	329	00	00	70
	39/318	00	04	68
	36/315	00	00	15
	37/316	00	06	70
	38/317	00	13	48
	57/342	00	00	39
	34/311	00	06	33
	32/309	00	11	99
	31/308	00	07	90
	30/307	00	22	47
	26/301	00	00	34
	29/306	00	06	43
	219	00	01	81
	28/305	00	33	92
	18/290	00	30	81
	16/288	00	00	55
	17/289	00	04	75
	15/287	00	01	30
	19/291	00	10	66
5) जगबंधुपुरससन	121/499	00	15	01
	120/498	00	07	25

1	2	3	4	5
5) जगबंधुपुरससन (निरंतर)	118/496	00	04	18
	117/495	00	00	10
	119/497	00	00	11
	116/494	00	08	82
	115/493	00	00	23
	91/469	00	06	40
	93/471	00	14	35
	94/472	00	00	10
	92/470	00	04	06
	95/473	00	16	47
	38/345	00	02	89
	461	00	00	47
	460	00	01	02
	84/459	00	12	81
	83/458	00	00	77
	70/444	00	17	78
	72/446	00	00	21
	68/442	00	00	20
	67/441	00	01	61
	71/445	00	08	48
	64/438	00	07	13
	63/437	00	05	08
	62/436	00	07	58
	50/420	00	09	40
	53/427	00	03	19
	55/429	00	01	41
	56/430	00	00	10
	54/428	00	08	80
	426	00	00	88
6) गोराराझरी	1711	00	03	15
	1710	00	07	97
	1709	00	02	35
	413/1195	00	06	46
	414/1196	00	02	43
	415/1197	00	13	62
	1194	00	01	38
	416	00	15	81
	1199	00	02	40
	417/1200	00	02	59
	1206	00	03	43
	1170	00	04	61
	1169	00	08	91

1	2	3	4	5
6) गोराराझरी (निरंतर)	1168	00	02	34
	409/1166	00	03	75
	1218	00	01	81
	1217	00	12	24
	1219	00	10	59
	1220	00	02	11
	1221	00	13	24
	1133	00	01	84
	1132	00	03	64
	1234	00	03	96
	1235	00	05	20
	1231	00	00	17
	1233	00	01	23
	1237	00	01	58
	1262	00	05	34
	1260	00	00	37
	1261	00	03	67
	1263	00	00	49
	1254	00	14	96
	1253	00	01	22
	1284	00	08	31
	1252	00	06	17
	1251	00	12	27
	1250	00	04	51
	1249	00	07	24
	1248	00	01	74
	1247	00	01	99
	1289	00	07	89
	1291	00	06	03
	1292	00	06	61
	1290	00	02	26
	1294	00	01	01
	1293	00	01	96
	1307	01	17	15
	1308	00	06	21
	1517	00	11	78
	1516	00	10	61
	1515	00	12	42
	1514	00	05	61
	1513	00	02	37
	1512	00	01	16
	1511	00	00	54

1	2	3	4	5
6) गोसराझरी (निरंतर)	1489	00	15	47
	1494	00	09	89
	1493	00	00	37
	1490	00	25	65
	1488	00	04	70
	1487	00	21	25
	1491	00	01	12
	1473	00	14	29
	1474	00	15	14
	1475	00	00	33
	1476	00	12	75
	1477	00	00	18
	1418	00	00	14
	1415	00	28	61
	428/1414	00	08	05
	1386	00	00	49
	1413	00	03	78
	1412	00	03	89
	1411	00	03	82
	1408	00	00	16
	1409	00	07	27
	427/1410	00	00	51
	1405	00	00	64
मंडल/ तेहसिल/ तालुक : टंगी	जिला : खोर्डा	राज्य : ओडिशा		
1) जरीपुत	947	00	41	84
	926	00	27	51
	925	00	20	16
	923	00	01	65
	922	00	01	78
	918	00	08	62
	921	00	07	41
	920	00	02	52
	919	00	05	71
	907	00	00	85
	909	00	13	57
	911	00	12	89
	910	00	18	26
	782	00	08	70
	783	00	05	86
	902	00	00	24
	679	00	01	66
	786	00	05	80
	785	00	00	94

1	2	3	4	5
1) जरीपुत (निरंतर)	784	00	00	10
	788	00	01	20
	787	00	02	11
	789	00	01	67
	790	00	04	95
	795	00	00	10
	794	00	00	14
	793	00	00	25
	791	00	01	26
	792	00	02	18
	676	00	02	57
	675	00	00	22
	649	00	03	85
	650	00	06	03
	651	00	07	54
	652	00	09	31
	667	00	00	10
	666	00	03	84
	665	00	10	36
	664	00	10	96
	654	00	01	03
	1417	00	02	80
	662	00	04	65
	658	00	04	49
	661	00	11	11
	660	00	00	10
	1390	00	07	05
	1391	00	02	28
	689	00	76	10
	563	00	00	21
	1425	00	03	67
	1426	00	02	62
	601	00	00	24
	558	00	00	47
	565	00	00	10
	564	00	01	35
	600	00	02	82
	599	00	06	29
	566	00	33	21
	596	00	00	45
	584	00	06	79
	582	00	01	61

1	2	3	4	5
1) जरीपुत (निरंतर)	581	00	01	99
	580	00	01	40
	579	00	00	98
	576	00	08	68
	577	00	03	34
	575	00	00	95
	417	00	00	10
	416	00	13	93
2) जयमंगल	1022	00	01	32
	1021	00	32	86
	1020	00	09	03
	1019	00	14	11
	1018	00	17	57
	1017	00	00	23
	737	00	13	76
	738	00	03	37
	739	00	08	79
	747	00	17	62
	742	00	12	87
	740	00	00	37
	590	00	02	90
	586	00	07	80
	587	00	03	74
	580	00	00	79
	581	00	14	17
	585	00	01	45
	550	00	00	18
	579	00	00	25
	552	00	01	42
	551	00	02	08
	553	00	00	10
	549	00	05	16
	554	00	00	35
	555	00	01	69
	556	00	02	12
	557	00	01	63
	558	00	00	69
	559	00	00	10
	560	00	08	04
	548	00	02	78
	561	00	01	08
	547	00	07	73

1	2	3	4	5
2) जयमंगल (निरंतर)	533	00	02	19
	534	00	00	34
	535	00	00	10
	536	00	09	37
	546	00	21	60
	545	00	00	49
	540	00	13	99
	505	00	20	25
	504	00	00	10
	506	00	17	91
	503	00	00	10
	502	00	00	42
	501	00	02	76
	500	00	01	69
	491	00	00	97
	490	00	00	52
	498	00	00	63
	496	00	30	02
	495	00	00	98
	493	00	04	96
	492	00	12	92
	222	00	01	57
	913	00	02	94
	226	00	02	54
	1703	00	01	95
	225	00	01	98
	1702	00	02	11
	224	00	01	26
	223	00	01	96
	220	00	03	38
	221	00	02	20
	219	00	00	35
	218	00	03	96
	212	00	09	13
	216	00	02	54
	238	00	01	85
	239	00	06	32
	242	00	00	10
	241	00	01	15
	207	00	10	89
	240	00	01	13
	208	00	02	13

1	2	3	4	5
2) जयमंगल (निरंतर)	206	00	10	83
	205	00	07	14
	193	00	20	94
	192	00	00	10
	1696	00	00	89
	150	00	01	82
	152	00	07	72
	153	00	02	45
	155	00	02	33
	139	00	18	55
	140	00	00	44
	137	00	01	00
	138	00	03	33
	131	00	03	20
	1694	00	20	01
3) अरीयापारा	503	00	36	18
	631	00	14	87
	304	00	23	22
	302	00	14	32
	301	00	15	45
	300	00	00	65
	295	00	04	77
	666	00	00	41
	643	00	05	29
	294	00	21	36
	293	00	05	99
	644	00	02	42
	662	00	00	10
	280	00	15	55
	292	00	00	10
	279	00	00	50
	281	00	14	16
	650	00	05	91
4) वृशाबंधा	452	00	02	11
	454	00	01	81
	453	00	26	69
	459	00	00	69
	460	00	01	22
	461	00	02	99
	462	00	06	30
	463	00	07	09
	447	00	04	49

1	2	3	4	5
4) वृशाबंधा (निरंतर)	437	00	05	63
	439	00	00	10
	438	00	01	67
	436	00	03	11
	435	00	10	30
	434	00	02	26
	432	00	02	87
	433	00	09	73
	391	00	01	70
	392	00	11	42
	426	00	12	28
	393	00	06	39
	399	00	03	84
	398	00	06	43
	400	00	00	10
	397	00	28	35
	402	00	11	17
	403	00	07	05
	381	00	02	09
	350	00	17	74
	347	00	27	28
	346	00	03	03
	345	00	01	79
	344	00	15	97
	343	00	06	64
	342	00	00	79
	340	00	05	87
	339	00	08	76
	217	00	01	10
	216	00	07	37
	341	00	00	48
	214	00	24	42
	215	00	00	10
	77	00	09	72
	213	00	02	32
	82	00	03	68
	78	00	14	78
	79	00	00	23
	81	00	17	67
	96	00	01	79
	880	00	00	14
	127	00	00	50

1	2	3	4	5
4) वृशाबंधा (निरंतर)	126	00	08	64
	125	00	06	16
	129	00	03	52
	130	00	12	40
	124	00	02	32
	131	00	24	64
	134	00	00	10
	117	00	00	29
	132	00	02	30
5) दिखितपारा	577	00	07	77
	578	00	14	03
	579	00	00	90
	581	00	01	50
	582	00	04	62
	583	00	05	36
	584	00	04	48
	585	00	03	57
	576	00	04	77
	588	00	16	32
	587	00	10	01
	596	00	01	06
	599	00	05	26
	598	00	10	25
	464	00	03	27
	465	00	02	84
	549	00	00	10
	466	00	01	97
	467	00	05	24
	468	00	00	25
	470	00	00	10
	471	00	26	33
	463	00	00	10
	473	00	05	65
	476	00	00	10
	475	00	01	80
	474	00	08	53
	704	00	00	48
	422	00	19	42
	421	00	08	13
	750	00	00	14
	428	00	01	30
	411	00	16	54

1	2	3	4	5
5) दिग्विजयपाया (निरंतर)	419	00	00	10
	417	00	04	75
	413	00	00	10
	416	00	19	11
	367	00	09	70
	364	00	03	73
	363	00	00	60
	359	00	16	91
	360	00	00	10
	358	00	02	44
	617	00	08	43
	618	00	00	13
	104	00	00	19
	102	00	05	56
	101	00	01	54
	103	00	04	34
	119	00	03	04
	118	00	02	73
	116	00	00	66
	120	00	03	36
	121	00	00	10
	117	00	04	07
	123	00	12	33
	124	00	10	03
	126	00	00	78
	125	00	19	25
	27	00	10	57
	28	00	05	78
	12	00	06	69
	26	00	06	60
	25	00	04	33
	24	00	11	68
	13	00	00	10
	23	00	04	36
	668	00	00	87
	669	00	03	70
	18	00	12	60
	20	00	01	62
	19	00	04	45
6) तलागराकुहरी	504	00	00	10
	505	00	05	76
	506	00	05	32

1	2	3	4	5
6) तलागराकुहरी (निरंतर)	333	00	01	73
	334	00	12	72
	335	00	02	69
	331	00	49	90
	336	00	48	42
	337	00	49	24
	651	00	01	69
	650	00	41	60
	121	00	08	59
	122	00	04	46
	123	00	00	25
	517	00	02	68
	124	00	01	27
	98	00	35	29
	95	00	02	96
	94	00	26	78
	241	00	10	85
	86	00	00	77
	79	00	20	58
	80	00	23	14
	129	00	03	16
	130	00	02	84
	133	00	03	28
	132	00	13	60
	429	00	12	64
	136	00	36	76
7) तुतंबरपली	515	00	76	73
	519	00	11	35
	522	00	11	84
	520	00	01	97
	659	00	00	63
	521	00	20	49
	660	00	00	83
	605	01	09	61
	606	00	24	80
	607	00	04	51
	608	00	14	62
	587	00	05	84
	594	00	01	07
	593	00	07	54
	592	00	09	91
	591	00	11	48

1	2	3	4	5
7) तुतंबरपली (निरंतर)	590	00	00	13
	579	00	06	30
	289	00	03	00
	578	00	01	63
	727	00	13	57
	290	00	00	18
	291	00	20	55
	292	00	03	36
	293	00	01	90
	306	00	10	98
	308	00	00	62
	307	00	00	10
	314	00	02	31
	99	00	21	20
	101	00	02	68
	100	00	01	86
	127	00	04	15
	199	00	04	16
	120	00	00	35
	121	00	11	60
	119	00	02	61
	122	00	12	95
	123	00	01	67
	126	00	10	83
	125	00	01	19
	124	00	00	10
	129	00	04	64
	130	00	06	73
	134	00	00	53
	168	00	04	95
	235	00	02	79
	236	00	02	88
	237	00	01	57
	233	00	01	03
	231	00	03	14
	238	00	05	03
	230	00	05	72
	229	00	02	15
	228	00	12	62
	226	00	01	40
	225	00	02	16
	179	00	03	46

1	2	3	4	5
8) पनसपुर	158	00	02	03
	455	00	01	96
	159	00	10	22
	235	00	01	75
	456	00	06	91
	163	00	01	17
	214	00	06	95
	233	00	05	33
	232	00	12	56
	231	00	11	94
	229	00	13	80
	243	00	38	77
	228	00	01	72
	278	00	11	82
	276	00	04	96
	277	00	11	41
	273	00	19	11
	274	00	14	66
	293	00	21	86
	294	00	01	28
	292	00	11	09
	301	00	00	97
	320	00	01	05
	318	00	15	36
	316	00	11	98
	317	00	05	15
	313	00	07	92
	315	00	03	62
	314	00	08	10
	319	00	04	25
9) रामचन्द्रपुर	1117	00	02	28
	1108	00	01	42
	1109	00	16	03
	1107	00	00	25
	1111	00	00	47
	1105	00	08	55
	1101	00	11	61
	1099	00	00	24
	1100	00	17	24
	1096	00	09	01
	1085	00	00	27
	1086	00	13	69

1	2	3	4	5
9) रामचन्द्रपुर (निरंतर)	1088	00	05	84
	1058	00	04	90
	1087	00	07	44
	1081	00	05	82
	1059/1415	00	00	68
	1067	00	04	04
	1080	00	00	10
	1059	00	04	22
	1066	00	03	01
	1060	00	04	37
	1061	00	11	85
	1062	00	02	79
	1053	00	08	86
	1052	00	06	15
	646	00	00	65
	647	00	16	30
	648	00	16	60
	652	00	11	78
	653	00	03	63
	651	00	00	50
	657	00	01	93
	666	00	22	46
	667	00	02	19
	668	00	03	86
	669	00	10	42
	672	00	01	65
	671/1387	00	08	04
	671	00	07	48
	1388	00	01	16
	677	00	07	02
	683	00	04	22
	676	00	03	90
	674	00	26	33
	675	00	02	09
	686	00	10	33
	687	00	04	07
	831	00	02	83
	827	00	02	73
	828	00	05	11
	829	00	00	33
	830	00	00	50
	688	00	02	49

1	2	3	4	5
9) रामचन्द्रपुर (निरंतर)	703	00	08	96
	704	00	05	94
	702	00	04	16
	705	00	14	03
	706	00	11	99
	726	00	08	15
	725	00	14	53
	731	00	02	01
	721	00	12	12
	732	00	01	43
	733	00	16	13
	735	00	00	10
	742	00	10	18
	741	00	16	23
	744	00	07	76
	745	00	03	81
	364	00	05	75
	361	00	00	69
	360	00	20	66
	377	00	01	28
	343	00	02	45
	342	00	01	59
	341	00	09	17
	337	00	01	15
	340	00	10	60
	339	00	05	42
	338	00	00	10
	1401	00	03	18
10) भोबारा	462	00	13	85
	461	00	08	99
	463	00	16	61
	464	00	00	69
	465	00	00	32
	466	00	00	10
	469	00	01	30
	484	00	02	01
	482	00	04	97
	480	00	15	42
	470	00	19	15
	428	00	15	59
	426	00	00	21
	427	00	00	40

1	2	3	4	5
10) भोवारा (निरंतर)	432	00	09	37
	431	00	11	12
	435	00	18	35
	434	00	03	20
	360	00	07	58
	375	00	01	58
	376	00	12	18
	373	00	07	42
	372	00	04	81
	371	00	13	81
	370	00	09	21
	381	00	02	27
	154	00	14	63
	155	00	14	12
	158	00	08	02
	159	00	17	36
	160	00	04	84
	161	00	05	47
	162	00	25	53
	168	00	01	02
	163	00	23	86
	141	00	17	78
	137	00	02	87
	136	00	06	98
	135	00	05	12
	134	00	05	76
	132	00	06	18
	131	00	06	80
	129	00	05	22
	126	00	04	95
	125	00	06	25
	124	00	04	48
	123	00	05	39
	122	00	03	58
	120	00	05	91
	511	00	00	46
	121	00	01	91
	118	00	11	57
	117	00	00	50
	77	00	01	47
	19	00	00	10
	76	00	20	53

1	2	3	4	5
10) भोबारा (निरंतर)	526	00	03	89
	75	00	00	75
	369	00	00	50

[फा सं. एल.-14014/61/2010-जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 12th November, 2010

S. O. 2879.— Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from onshore terminal at East coast of Andhra Pradesh of M/s Reliance Industries Limited to consumers in various parts of the country, Kakinada - Basudebpur - Howrah pipeline should be laid by M/s Relogistics Infrastructure Limited;

And whereas. it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri Braja Kishore Panda, Competent Authority, Relogistics Infrastructure Limited, 1st Floor, Fortune Tower, Chandrasekharpur, Bhubaneswar - 751023, Orissa State.

Schedule

Mahdal/Tehsil/Taluk:Banpur		District:Khorda		State:Orissa	
Village	Survey No./Sub-Division	Area to be acquired for			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Nilkanthpur	41	00	01	55	
	46	00	00	45	
	36/45	00	12	65	
	35/44	00	03	11	
	34/43	00	00	10	
	33/39	00	40	55	
	26/32	00	02	27	
	27/33	00	00	83	
	17/21	00	24	91	
	16/20	00	19	69	
	14/18	00	00	20	
	15/19	00	09	75	
	9	00	02	90	

1	2	3	4	5
2) Jibandeipursasan	52	00	06	98
	53	00	02	68
	54	00	08	22
	51	00	08	96
	55	00	22	44
	36	00	06	66
	50	00	01	17
	48	00	04	80
	49	00	03	97
	47	00	07	16
	46	00	04	54
	45	00	01	85
	44	00	02	01
	8/9	00	01	45
	9/10	00	05	04
	43	00	09	29
	10/11	00	01	83
	12	00	02	68
	13	00	00	68
	14	00	10	12
	15	00	01	02
	41	00	00	28
	16/22	00	20	95
	15/21	00	01	62
	26/32	00	10	24
	25/31	00	11	78
	34/71	00	00	26
	33/70	00	16	71
	36/73	00	00	14
	35/72	00	12	44
	40/79	00	14	17
	41/80	00	08	52
3) Paikerapur	165/391	00	08	60
	390	00	04	39
	161/385	00	01	60
	164/389	00	10	92
	388	00	01	92
4) Nuakot	324	00	02	28
	43/323	00	00	70
	322	00	18	74
	327	00	08	28
	42/321	00	00	10
	41/320	00	02	65
	44/328	00	04	27
	40/319	00	05	61
	329	00	00	70
	39/318	00	04	68
	36/315	00	00	15
	37/316	00	06	70
	38/317	00	13	48
	57/342	00	00	39
	34/311	00	06	33
	32/309	00	11	99

1	2	3	4	5
4) Nuaht (Contd)	31/308	00	07	90
	30/307	00	22	47
	26/301	00	00	34
	29/306	00	06	43
	219	00	01	81
	28/305	00	33	92
	18/290	00	30	81
	16/288	00	00	55
	17/289	00	04	75
	15/287	00	01	30
	19/291	00	10	66
5) Jagabandhupursasan	121/499	00	15	01
	120/498	00	07	25
	118/496	00	04	18
	117/495	00	00	10
	119/497	00	00	11
	116/494	00	08	82
	115/493	00	00	23
	91/469	00	06	40
	93/471	00	14	35
	94/472	00	00	10
	92/470	00	04	06
	95/473	00	16	47
	38/345	00	02	89
	461	00	00	47
	460	00	01	02
	84/459	00	12	81
	83/458	00	00	77
	70/444	00	17	78
	72/446	00	00	21
	68/442	00	00	20
	67/441	00	01	61
	71/445	00	08	48
	64/438	00	07	13
	63/437	00	05	08
	62/436	00	07	58
	50/420	00	09	40
	53/427	00	03	19
	55/429	00	01	41
	56/430	00	00	10
	54/428	00	08	80
	426	00	00	88
6) Gorarajhari	1711	00	03	15
	1710	00	07	97
	1709	00	02	35
	413/1195	00	06	46
	414/1196	00	02	43
	415/1197	00	13	62
	1194	00	01	38
	416	00	15	81
	1199	00	02	40
	417/1200	00	02	59

1	2	3	4	5
6) Gorarajhari (Contd)	1206	00	03	43
	1170	00	04	61
	1169	00	08	91
	1168	00	02	34
	409/1166	00	03	75
	1218	00	01	81
	1217	00	12	24
	1219	00	10	59
	1220	00	02	11
	1221	00	13	24
	1133	00	01	84
	1132	00	03	64
	1234	00	03	96
	1235	00	05	20
	1231	00	00	17
	1233	00	01	23
	1237	00	01	58
	1262	00	05	34
	1260	00	00	37
	1261	00	03	67
	1263	00	00	49
	1254	00	14	96
	1253	00	01	22
	1284	00	08	31
	1252	00	06	17
	1251	00	12	27
	1250	00	04	51
	1249	00	07	24
	1248	00	01	74
	1247	00	01	99
	1289	00	07	89
	1291	00	06	03
	1292	00	06	61
	1290	00	02	26
	1294	00	01	01
	1293	00	01	96
	1307	01	17	15
	1308	00	06	21
	1517	00	11	78
	1516	00	10	61
	1515	00	12	42
	1514	00	05	61
	1513	00	02	37
	1512	00	01	16
	1511	00	00	54

1	2	3	4	5
6) Gorarajhari (Contd)	1489	00	15	47
	1494	00	09	89
	1493	00	00	37
	1490	00	25	65
	1488	00	04	70
	1487	00	21	25
	1491	00	01	12
	1473	00	14	29
	1474	00	15	14
	1475	00	00	33
	1476	00	12	75
	1477	00	00	18
	1418	00	00	14
	1415	00	28	61
	428/1414	00	08	05
	1386	00	00	49
	1413	00	03	78
	1412	00	03	89
	1411	00	03	82
	1408	00	00	16
	1409	00	07	27
	427/1410	00	00	51
	1405	00	00	64

Mandal/Tehsil/Taluk:Tangi	District:Khorda	State:Orissa		
1) Jariput	947	00	41	84
	926	00	27	51
	925	00	20	16
	923	00	01	65
	922	00	01	78
	918	00	08	62
	921	00	07	41
	920	00	02	52
	919	00	05	71
	907	00	00	85
	909	00	13	57
	911	00	12	89
	910	00	18	26
	782	00	08	70
	783	00	05	86
	902	00	00	24
	679	00	01	66
	786	00	05	80
	785	00	00	94

1	2	3	4	5
1) Jariput (Contd)	784	00	00	10
	788	00	01	20
	787	00	02	11
	789	00	01	67
	790	00	04	95
	795	00	00	10
	794	00	00	14
	793	00	00	25
	791	00	01	26
	792	00	02	18
	676	00	02	57
	675	00	00	22
	649	00	03	85
	650	00	06	03
	651	00	07	54
	652	00	09	31
	667	00	00	10
	666	00	03	84
	665	00	10	36
	664	00	10	96
	654	00	01	03
	1417	00	02	80
	662	00	04	65
	658	00	04	49
	661	00	11	11
	660	00	00	10
	1390	00	07	05
	1391	00	02	28
	689	00	76	10
	563	00	00	21
	1425	00	03	67
	1426	00	02	62
	601	00	00	24
	558	00	00	47
	565	00	00	10
	564	00	01	35
	600	00	02	82
	599	00	06	29
	566	00	33	21
	596	00	00	45
	584	00	06	79
	582	00	01	61

1	2	3	4	5
1) Jariput (Contd)	581	00	01	99
	580	00	01	40
	579	00	00	98
	576	00	08	68
	577	00	03	34
	575	00	00	95
	417	00	00	10
	416	00	13	93
2) Jayamangal	1022	00	01	32
	1021	00	32	86
	1020	00	09	03
	1019	00	14	11
	1018	00	17	57
	1017	00	00	23
	737	00	13	76
	738	00	03	37
	739	00	08	79
	747	00	17	62
	742	00	12	87
	740	00	00	37
	590	00	02	90
	586	00	07	80
	587	00	03	74
	580	00	00	79
	581	00	14	17
	585	00	01	45
	550	00	00	18
	579	00	00	25
	552	00	01	42
	551	00	02	08
	553	00	00	10
	549	00	05	16
	554	00	00	35
	555	00	01	69
	556	00	02	12
	557	00	01	63
	558	00	00	69
	559	00	00	10
	560	00	08	04
	548	00	02	78
	561	00	01	08
	547	00	07	73

1	2	3	4	5
2) Jayamangal (Contd)	533	00	02	19
	534	00	00	34
	535	00	00	10
	536	00	09	37
	546	00	21	60
	545	00	00	49
	540	00	13	99
	505	00	20	25
	504	00	00	10
	506	00	17	91
	503	00	00	10
	502	00	00	42
	501	00	02	76
	500	00	01	69
	491	00	00	97
	490	00	00	52
	498	00	00	63
	496	00	30	02
	495	00	00	98
	493	00	04	96
	492	00	12	92
	222	00	01	57
	913	00	02	94
	226	00	02	54
	1703	00	01	95
	225	00	01	98
	1702	00	02	11
	224	00	01	26
	223	00	01	96
	220	00	03	38
	221	00	02	20
	219	00	00	35
	218	00	03	96
	212	00	09	13
	216	00	02	54
	238	00	01	85
	239	00	06	32
	242	00	00	10
	241	00	01	15
	207	00	10	89
	240	00	01	13
	208	00	02	13

1	2	3	4	5
2) Jayamangal (Contd)	206	00	10	83
	205	00	07	14
	193	00	20	94
	192	00	00	10
	1696	00	00	89
	150	00	01	82
	152	00	07	72
	153	00	02	45
	155	00	02	33
	139	00	18	55
	140	00	00	44
	137	00	01	00
	138	00	03	33
	131	00	03	20
	1694	00	20	01
3) Ariapara	503	00	36	18
	631	00	14	87
	304	00	23	22
	302	00	14	32
	301	00	15	45
	300	00	00	65
	295	00	04	77
	666	00	00	41
	643	00	05	29
	294	00	21	36
	293	00	05	99
	644	00	02	42
	662	00	00	10
	280	00	15	55
	292	00	00	10
	279	00	00	50
	281	00	14	16
	650	00	05	91
4) Brushabandha	452	00	02	11
	454	00	01	81
	453	00	26	69
	459	00	00	69
	460	00	01	22
	461	00	02	99
	462	00	06	30
	463	00	07	09
	447	00	04	49

1	2	3	4	5
4) Brushabandha (Contd)	437	00	05	63
	439	00	00	10
	438	00	01	67
	436	00	03	11
	435	00	10	30
	434	00	02	26
	432	00	02	87
	433	00	09	73
	391	00	01	70
	392	00	11	42
	426	00	12	28
	393	00	06	39
	399	00	03	84
	398	00	06	43
	400	00	00	10
	397	00	28	35
	402	00	11	17
	403	00	07	05
	381	00	02	09
	350	00	17	74
	347	00	27	28
	346	00	03	03
	345	00	01	79
	344	00	15	97
	343	00	06	64
	342	00	00	79
	340	00	05	87
	339	00	08	76
	217	00	01	10
	216	00	07	37
	341	00	00	48
	214	00	24	42
	215	00	00	10
	77	00	09	72
	213	00	02	32
	82	00	03	68
	78	00	14	78
	79	00	00	23
	81	00	17	67
	96	00	01	79
	880	00	00	14
	127	00	00	50

1	2	3	4	5
4) Brushabandha (Contd)	126	00	08	64
	125	00	06	16
	129	00	03	52
	130	00	12	40
	124	00	02	32
	131	00	24	64
	134	00	00	10
	117	00	00	29
	132	00	02	30
5) Dikhitpara	577	00	07	77
	578	00	14	03
	579	00	00	90
	581	00	01	50
	582	00	04	62
	583	00	05	36
	584	00	04	48
	585	00	03	57
	576	00	04	77
	588	00	16	32
	587	00	10	01
	596	00	01	06
	599	00	05	26
	598	00	10	25
	464	00	03	27
	465	00	02	84
	549	00	00	10
	466	00	01	97
	467	00	05	24
	468	00	00	25
	470	00	00	10
	471	00	26	33
	463	00	00	10
	473	00	05	65
	476	00	00	10
	475	00	01	80
	474	00	08	53
	704	00	00	48
	422	00	19	42
	421	00	08	13
	750	00	00	14
	428	00	01	30
	411	00	16	54

1	2	3	4	5
5) Dakshapara (Contd)	419	00	00	10
	417	00	04	75
	413	00	00	10
	416	00	19	11
	367	00	09	70
	364	00	03	73
	363	00	00	60
	359	00	16	91
	360	00	00	10
	358	00	02	44
	617	00	08	43
	618	00	00	13
	104	00	00	19
	102	00	05	56
	101	00	01	54
	103	00	04	34
	119	00	03	04
	113	00	02	73
	116	00	00	66
	120	00	03	36
	121	00	00	10
	117	00	04	07
	123	00	12	33
	124	00	10	03
	126	00	00	78
	125	00	19	25
	27	00	10	57
	28	00	05	78
	12	00	06	69
	26	00	06	60
	25	00	04	33
	24	00	11	68
	13	00	00	10
	23	00	04	36
	668	00	00	87
	669	00	03	70
	18	00	12	60
	20	00	01	62
	19	00	04	45
6) Talagarakuhuri	504	00	00	10
	505	00	05	76
	506	00	05	32

1	2	3	4	5
6) Talagarakuhuri (Contd)	333	00	01	73
	334	00	12	72
	335	00	02	69
	331	00	49	90
	336	00	48	42
	337	00	49	24
	651	00	01	69
	650	00	41	60
	121	00	08	59
	122	00	04	46
	123	00	00	25
	517	00	02	68
	124	00	01	27
	98	00	35	29
	95	00	02	96
	94	00	26	78
	241	00	10	85
	86	00	00	77
	79	00	20	58
	80	00	23	14
	129	00	03	16
	130	00	02	84
	133	00	03	28
	132	00	13	60
	429	00	12	64
	136	00	36	76
7) Tutambarpali	515	00	76	73
	519	00	11	35
	522	00	11	84
	520	00	01	97
	659	00	00	63
	521	00	20	49
	660	00	00	83
	605	01	09	61
	606	00	24	80
	607	00	04	51
	608	00	14	62
	587	00	05	84
	594	00	01	07
	593	00	07	54
	592	00	09	91
	591	00	11	48

1	2	3	4	5
7) Tutambarpali (Contd)	590	00	00	13
	579	00	06	30
	289	00	03	00
	578	00	01	63
	727	00	13	57
	290	00	00	18
	291	00	20	55
	292	00	03	36
	293	00	01	90
	306	00	10	98
	308	00	00	62
	307	00	00	10
	314	00	02	31
	99	00	21	20
	101	00	02	68
	100	00	01	86
	127	00	04	15
	199	00	04	16
	120	00	00	35
	121	00	11	60
	119	00	02	61
	122	00	12	95
	123	00	01	67
	126	00	10	83
	125	00	01	19
	124	00	00	10
	129	00	04	64
	130	00	06	73
	134	00	00	53
	168	00	04	95
	235	00	02	79
	236	00	02	88
	237	00	01	57
	233	00	01	03
	231	00	03	14
	238	00	05	03
	230	00	05	72
	229	00	02	15
	228	00	12	62
	226	00	01	40
	225	00	02	16
	179	00	03	46

1	2	3	4	5
8) Panaspur	158	00	02	03
	455	00	01	96
	159	00	10	22
	235	00	01	75
	456	00	06	91
	163	00	01	17
	214	00	06	95
	233	00	05	33
	232	00	12	56
	231	00	11	94
	229	00	13	80
	243	00	38	77
	228	00	01	72
	278	00	11	82
	276	00	04	96
	277	00	11	41
	273	00	19	11
	274	00	14	66
	293	00	21	86
	294	00	01	28
	292	00	11	09
	301	00	00	97
	320	00	01	05
	318	00	15	36
	316	00	11	98
	317	00	05	15
	313	00	07	92
	315	00	03	62
	314	00	08	10
	319	00	04	25
9) Ramchandrapur	1117	00	02	28
	1108	00	01	42
	1109	00	16	03
	1107	00	00	25
	1111	00	00	47
	1105	00	08	55
	1101	00	11	61
	1099	00	00	24
	1100	00	17	24
	1096	00	09	01
	1085	00	00	27
	1086	00	13	69

1	2	3	4	5
9) Ramchandrapur (Contd)	1088	00	05	84
	1058	00	04	90
	1087	00	07	44
	1081	00	05	82
	1059/1415	00	00	68
	1067	00	04	04
	1080	00	00	10
	1059	00	04	22
	1066	00	03	01
	1060	00	04	37
	1061	00	11	85
	1062	00	02	79
	1053	00	08	86
	1052	00	06	15
	646	00	00	65
	647	00	16	30
	648	00	16	60
	652	00	11	78
	653	00	03	63
	651	00	00	50
	657	00	01	93
	666	00	22	46
	667	00	02	19
	668	00	03	86
	669	00	10	42
	672	00	01	65
	671/1387	00	08	04
	671	00	07	48
	1388	00	01	16
	677	00	07	02
	683	00	04	22
	676	00	03	90
	674	00	26	33
	675	00	02	09
	686	00	10	33
	687	00	04	07
	831	00	02	83
	827	00	02	73
	828	00	05	11
	829	00	00	33
	830	00	00	50
	688	00	02	49

1	2	3	4	5
9) Ramchandrapur (Contd)	703	00	08	96
	704	00	05	94
	702	00	04	16
	705	00	14	03
	706	00	11	99
	726	00	08	15
	725	00	14	53
	731	00	02	01
	721	00	12	12
	732	00	01	43
	733	00	16	13
	735	00	00	10
	742	00	10	18
	741	00	16	23
	744	00	07	76
	745	00	03	81
	364	00	05	75
	361	00	00	69
	360	00	20	66
	377	00	01	28
	343	00	02	45
	342	00	01	59
	341	00	09	17
	337	00	01	15
	340	00	10	60
	339	00	05	42
	338	00	00	10
	1401	00	03	18
10) Bhobara	462	00	13	85
	461	00	08	99
	463	00	16	61
	464	00	00	69
	465	00	00	32
	466	00	00	10
	469	00	01	30
	484	00	02	01
	482	00	04	97
	480	00	15	42
	470	00	19	15
	428	00	15	59
	426	00	00	21
	427	00	00	40

1	2	3	4	5
(i) Bhojara (Contd)	432	00	09	37
	431	00	11	12
	435	00	18	35
	434	00	03	20
	360	00	07	58
	375	00	01	58
	376	00	12	18
	373	00	07	42
	372	00	04	81
	371	00	13	81
	370	00	09	21
	381	00	02	27
	154	00	14	63
	155	00	14	12
	158	00	08	02
	159	00	17	36
	160	00	04	84
	161	00	05	47
	162	00	25	53
	168	00	01	02
	163	00	23	86
	141	00	17	78
	137	00	02	87
	136	00	06	98
	135	00	05	12
	134	00	05	76
	132	00	06	18
	131	00	06	80
	129	00	05	22
	126	00	04	95
	125	00	06	25
	124	00	04	48
	123	00	05	39
	122	00	03	58
	120	00	05	91
	511	00	00	46
	121	00	01	91
	118	00	11	57
	117	00	00	50
	77	00	01	47
	19	00	00	10
	76	00	20	53
	526	00	03	89
	75	00	00	75
	369	00	00	50

[F. No. L-14014/61/2010-GP]
SNEH P. MADAN, Under Secy.

नई दिल्ली, 12 नवम्बर, 2010

का. आ. 2880.— भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि तमिलनाडु में तिरुतनी के पास विजयवाडा-नैल्लोर-चैन्नई पाइपलाइन के टर्मिनल प्वाइंट से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलोजिमेटिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा चैन्नई-ट्यूटीकोरिन पाइपलाइन बिछाई जानी चाहिए;

और, भारत सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपावद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधागा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधागा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाई जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री बी. वेंकटमुवु, मक्षम प्राधिकारी, रिलोजिमेटिक्स इन्फ्रास्ट्रक्चर लिमिटेड, न. 89, डॉ. गधाकृष्णन सलाई, छठवीं मंजिल, मैलापुर, चैन्नई - 600004, तमिलनाडु राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तालुक : चेय्यार	जिला : तिरुवन्नामलाई	राज्य : तमिलनाडु		
गाँव का नाम	सर्वे सं./ सब डिविजन सं.	आर-ओ-यू-अर्जित करने के लिए क्षेत्रफल		
1	2	हेक्टेयर	एयर	सि एयर
1) मनपाक्कम	52 6/1बी	00	09	87
	52 6/1ए	00	14	39
	52 6/1डी	00	11	74
	453/1	00	42	07
	453/2ए	00	03	88
	456	00	12	02
	458	00	45	64
2) नयनतंगल	30 2/3	00	00	80
	73/1बी	00	24	49
	73/1ए	00	00	76
	73/2बी	00	28	82
	73/3	00	20	37
	74/2	00	10	06

1	2	3	4	5
तालुक :पोलुर	जिला :तिरुवन्नामलाई	राज्य :तमिलनाडु		
1) सिवेरापून्डी	सर्वे न. 223/11 में नाला	00	00	37
	सर्वे न. 223/9 में नाला	00	02	66
	सर्वे न. 223/8 में नाला	00	00	71
	223/9	00	02	75
	223/8	00	09	26
	223/6	00	09	92
	223/4बी	00	00	10
	223/5	00	03	91
	223/2	00	00	66
	223/12	00	02	51
	223/15	00	01	85
	223/14	00	06	28
	225/2	00	00	11
	223/13	00	06	46
	225/1	00	07	33
	225/3	00	00	12
	224	00	04	33
	283/1बी	00	04	13
	283/1ए	00	14	03
	283/2	00	03	86
	283/4बी	00	02	74
	283/4ए	00	01	50
	283/3	00	03	38
	284/1	00	02	04
	284/2	00	38	41
	284/3	00	00	90
	284/4	00	17	75
	284/5	00	02	80
	286/2	00	34	47
	289/1ए	00	00	16
	286/3	00	10	86
	286/8बी	00	00	88
	286/8सी	00	11	22
	291	00	01	39
	286/9सी	00	08	66
	286/9बी	00	01	07
	319/1	00	92	72
	293/1	00	16	11
	293/3	00	00	54
	293/4	00	00	37
	319/6	00	28	87
	319/8	00	18	06
	319/9	00	41	55
	319/10	00	00	10

1	2	3	4	5
1) सिवैरापून्डी (निरंतर)	319/15	00	53	20
	319/14	00	23	58
	319/12	00	04	16
	319/13	00	31	12

तालुक शिरोवनमलाय	जिला शिरोवन्नामलाई	राज्य श्तिमिलनाडु		
1) वेदन्डावाडी	153/1ए1ए	00	53	13
	153/1ए3सी	00	14	09
	153/1वी1	00	12	36
	152/2वी	00	02	97
	152/2डी	00	02	46
	156/1वी	00	05	86
	157/1वी	00	22	49
	157/2	00	13	92
	163/1ए5वी	00	06	59
	163/1ए5ए	00	13	47
	163/3	00	00	40
	163/1वी1	00	08	78
	163/1ए4	00	27	18
	सर्वे न. 169 में नाला	00	02	04
	168/3ए	00	06	26
	168/2वी	00	12	61
	168/7ए	00	03	37
	168/7वी	00	05	64
	168/7सी	00	05	21
	168/7डी	00	04	38
	168/6ई	00	00	10
	168/7एफ	00	03	44
	168/7ई	00	05	78
	168/6एच	00	03	11
	168/6जी	00	00	10
	174/3वी	00	00	75
	174/3ए	00	01	13
	174/2सी	00	02	61
	174/3एफ	00	00	85
	174/2डी	00	01	17
	174/2वी	00	07	52
	174/3जी	00	00	10
	174/2एफ	00	08	59
	174/2एच	00	01	99
	174/2जी	00	03	82
	174/5वी	00	01	30
	174/5ए	00	03	85
	174/1आइ	00	10	02
	174/1जे	00	01	15
	174/1के	00	03	73
	174/6ए	00	00	72

1	2	3	4	5
1) वेदन्डावाडी (निरंतर)	252/1सी	00	06	79
	252/1वी	00	00	81
	252/1डी	00	08	44
	252/1ई	00	03	33
	252/1एच	00	26	54
	252/1जी	00	00	94
	255/4सी	00	02	53
	255/4के	00	12	83
	255/4जे	00	03	86
	255/4आड	00	02	20
	255/4डी	00	00	22
	255/4एच	00	04	08
	255/4ई	00	01	76
	255/4एफ	00	02	28
	255/4जी	00	02	27
	255/4वी	00	01	52
	256/5	00	21	94
	256/4	00	39	14
	256/2	00	00	42
	261/1वी	00	03	06
	261/4ए	00	00	29
	261/1ए2	00	16	44
	261/2	00	01	97
	261/3ए	00	11	38
	261/3वी	00	09	80
	260/2ए2ए	00	04	24
	260/2ए2वी	00	02	46
	260/2ए2सी	00	00	25
	260/2ए1	00	23	27
	266/2	00	14	30
	266/4वी	00	17	39
	266/4ए	00	00	10
	266/10वी2	00	02	65
	265/7सी	00	00	43
	265/6वी	00	00	14
	265/10ए2	00	00	81
	265/10वी1	00	01	10
	265/7वी	00	01	35
	265/10ए1	00	02	09
	265/9	00	00	41
	265/7ए	00	08	07
	265/11वी	00	00	10
	265/11ए2	00	00	15
	265/11ए1	00	04	86
	136/17ए	00	10	26
	136/18ए	00	04	06

1	2	3	4	5
1) वेदन्डावाडी (निरंतर)	136/16	00	02	15
	136/23ए	00	01	78
	136/21	00	10	32
	136/20	00	00	55
	सर्वे न. 302/3 में रास्ता	00	02	86
	300/5ए	00	01	52
	300/4	00	03	84
	300/2	00	00	95
	300/3	00	01	80
	300/8	00	03	19
	300/12	00	00	10
	301/4	00	04	04
	301/5	00	08	10
	301/7	00	01	71
	301/6	00	03	92
	301/8	00	00	76
	सर्वे न. 304 में नाला	00	14	67
	303/7	00	01	16
	303/9	00	06	39
	305/6ए	00	03	95
	305/6बी	00	00	59
	303/8	00	02	38
	305/5	00	04	42
	305/4	00	03	98
	305/3	00	02	89
	305/2	00	01	21
	305/1	00	00	10
	305/19बी	00	00	19
	305/18	00	02	19
	305/15	00	04	20
	305/16	00	02	20
	305/17	00	02	25
	298/2	00	00	28
	298/1	00	02	27
	305/14	00	06	28
	305/13	00	03	76
	305/11	00	00	10
	305/12	00	04	09
	397	00	30	28
	295/15बी	00	00	51
	295/20	00	04	85
	295/19	00	03	52
	295/18बी	00	00	56
	295/18ए	00	00	11
	296/8	00	00	10
	296/9बी	00	01	21
	296/12बी	00	02	35
	296/17	00	08	85

1.	2	3	4	5
1) वेदन्दावाडी (निरंतर)	283/1ए	00	01	54
	296/14	00	00	12
	296/16	00	11	38
	296/19वी	00	03	43
	296/20	00	03	98
	296/19ए	00	00	10
	284/2ए	00	03	15
	284/3ए	00	01	83
	284/3वी	00	00	44
	284/1	00	11	06
	288	00	02	56
	284/6ए	00	00	86
	284/4ए	00	14	70
	284/4वी	00	17	02
	284/8	00	00	88
	284/9	00	00	57
	284/10	00	00	10
	284/7	00	12	84
	286/1ए	00	00	60
	286/1वी	00	00	11
	286/2ए	00	04	67
	286/1 बी	00	03	54
	284/11	00	02	41
	284/5	00	00	10
	286/1जी	00	08	30
	285/3	00	09	78
	285/5	00	07	00
	285/1	00	05	84
	285/2	00	00	10
2) कोनलुर	90/2ए	00	29	03
	90/2सी	00	09	79
	90/2डी	00	09	77
	90/2ई	00	11	26
	92	00	37	60
	84/2	00	24	35
	84/1	00	01	98
	84/3ए	00	14	53
	84/3वी	00	11	37
	84/6ए	00	04	48
	84/5ए	00	03	69
	84/6वी	00	01	62
	84/5वी	00	06	42
	84/4वी	00	00	47
	84/5सी	00	04	74
	84/4सी	00	02	53
	84/5डी	00	02	55

1	2	3	4	5
2) कोन्कुर (निरंतर)	84/4डी	00	05	82
	85	00	21	33
	87/2एफ	00	00	59
	86/2	00	01	64
	86/3	00	03	56
	86/4	00	04	60
	86/5	00	17	35
	86/7	00	21	28
	75/1ए1	00	20	77
	75/1ए2	00	27	16
	74	00	08	76
	31/1वी	00	05	78
	31/2वी	00	01	72
	31/2ई	00	20	28
	31/2डी2	00	03	62
	33/11	00	04	64
	33/10	00	32	01
	33/9वी	00	01	91
	40/2ए	00	03	35
	40/1ए	00	04	49
	40/1वी	00	13	05
	40/1सी	00	06	92
	40/1डी	00	05	43
	39	00	54	22
	सर्वे न. 42 में रास्ता	00	03	90
	सर्वे न. 43 में रास्ता	00	02	50
	46/6ए	00	02	09
	46/5	00	03	08
	46/3	00	02	47
	46/4डी	00	14	07
	46/4सी2	00	04	45
	सर्वे न. 46/1 में नाला	00	05	99
	48	00	29	71
	45	00	14	41
	49/1	00	03	55

तालुक : अरक्कोणम	जिला : वेल्लोर	राज्य : तमिलनाडु		
1) नंगामंगलम	220/1	00	01	79
	219/1वी	00	25	79
	219/1ए	00	33	65
	214/2	00	00	10
	213/2डी	00	06	19
	213/2सी	00	00	10

1	2	3	4	5
1) नंगमंगलम (निरंतर)	2 13/3वी	00	21	19
	2 13/3ए 2	00	01	39
	2 27	00	04	86
	2 25/4	00	18	11
	2 25/6	00	37	48
2) पनप्पावकम	4 11	00	12	56
	3 92	00	29	10
3) मेलपुरम	1/2	00	05	22
	2	00	15	59
	3	00	03	08
	10	00	02	14
	16	00	30	20
	9	00	00	75
	12	00	19	33
	13	00	59	69
	69	00	03	91
	71	00	21	09
	73	00	92	64
	75	00	72	44
	सर्वे न. 78 में गस्ता	00	01	55
तालुक : आरकोट	जिला : वेल्लोर	राज्य : तमिलनाडु		
1) पाली	17/2वी	00	18	71
	18/1	00	02	24
	18/2	00	00	10
	17/4	00	05	15
	17/5	00	03	75
	17/6	00	00	58
	18/3	00	00	83
	15/4एवी	00	07	54
	18/5	00	00	33
	18/4	00	07	47
	15/4वी	00	01	01
	15/5	00	19	83
	15/3	00	03	27
	27/4ए	00	01	49
	27/1	00	15	37
	27/2	00	07	02
	26/1	00	03	48
	26/2	00	07	83
	26/3	00	01	16
	25/2	00	09	40
	25/3	00	00	34

1	2	3	4	5
1) पाली (निरंतर)	25/1	00	02	49
	36/1	00	00	94
	36/2	00	03	49
	37/1	00	08	86
	37/2	00	08	35
	37/3	00	00	65
	37/4ए	00	02	58
	38/1ए	00	01	91
	38/1बी	00	03	19
	38/2	00	07	71
	38/3	00	13	12
	41/2	00	01	23
	41/3	00	06	53
	258	00	00	10
	254	00	14	78
	255	00	05	67
	253/2	00	01	15
	253/4ए	00	08	28
	253/1बी	00	06	16
	253/4बी	00	05	23
	253/5	00	02	46
	253/6	00	01	44
	253/3	00	10	31
	269/4बी	00	00	23
	270	00	10	65
	269/1	00	00	11
	250/13	00	00	10
	249/8	00	04	31
	249/6	00	00	10
	249/7	00	01	19
	248/1	00	06	75
	248/2	00	02	85
	249/5	00	04	78
	245/1	00	14	86
	245/2	00	10	68
	244/8	00	00	10
	244/9	00	04	68
	281/1	00	09	24
	281/3	00	02	99
	281/2	00	06	87
	281/5	00	00	93

1	2	3	4	5
1) पाली (निरंतर)	236/5	00	00	13
	236/6	00	00	16
	283/3	00	19	82
	283/1	00	01	17
	284/1	00	08	55
	284/3	00	00	74
	284/2	00	09	10
	285	00	04	50
	286	00	01	55
	287/5	00	06	14
	287/3	00	15	10
	287/2	00	00	15
	287/4	00	09	60
	287/1	00	00	95
	289/4ए	00	00	16
	289/4बी	00	00	75
	289/5ए	00	01	09
	289/5बी	00	03	13
	288/1	00	00	67
	299/1	00	08	33
	299/2	00	08	66
	299/3	00	06	37
	298/1	00	00	82
	298/2	00	11	20
	327/2	00	05	11
	327/1	00	06	87
	327/4	00	01	39
	328	00	22	23
	345/3ए	00	29	71
	343/1डी	00	25	15
	343/2एफ	00	04	57
	343/2ई	00	16	48
	343/2डी	00	10	07
	343/3आई	00	04	49
	343/3ए	00	03	77
	343/3बी	00	04	96
	343/3सी	00	06	10
	343/3टी	00	06	61
	343/3ई	00	07	06
	343/3एफ	00	06	51
	342/6	00	06	72

1	2	3	4	5
1) पाली (निरंतर)	342/7	00	06	38
	342/8	00	06	60
	342/9	00	08	03
2) डोनिमेटु	180/2वी	00	17	89
	180/2सी3	00	16	04
	180/2सी4	00	05	57
	180/2ई	00	13	86
	180/3	00	09	09
	सर्वे न. 180/5 में रास्ता	00	07	59
	180/4	00	09	44
	179/1ए	00	43	45
	178	00	01	59
	179/2	00	24	92
	177/7	00	00	10
	177/8	00	00	78
	181	00	01	76
	183/2	00	18	49
	180/2ए2	00	00	31
	183/1	00	03	62
	184/2	00	00	10
	184/3	00	03	71
	184/4	00	04	59
	184/5	00	05	65
	184/6	00	03	41
	185/11	00	00	62
	185/10	00	00	73
	185/9	00	02	31
	185/8	00	00	74
	222/1	00	00	55
	185/7	00	14	49
	185/6	00	00	11
	192/3	00	00	10
	192/6	00	04	39
	192/5	00	01	77
	186/1	00	11	11
	187/4	00	00	66
	187/7	00	02	84
	187/8	00	05	23
	187/6	00	03	65
	187/5	00	02	34
	219/1	00	08	17

1	2	3	4	5
2) डोमिगडु (निरंतर)	219/4	00	01	47
	219/3	00	01	57
	219/2	00	03	37
	207	00	03	86
	208	00	07	67
	205	00	24	46
	सर्वे न. 205 में नदी	00	19	67
	99/2	00	21	92
3) कुप्पुडीसत्तम	230	00	45	09
	194/1	00	06	50
	194/2	00	04	40
	195/6	00	00	71
	195/7	00	06	76
	193/1	00	03	65
	193/2	00	02	21
	193/3	00	02	00
	193/6	00	07	30
	193/4	00	02	91
	193/5	00	05	00
	189/4	00	00	11
	190/6	00	05	63
	190/5	00	07	36
	190/4	00	10	23
	191/1	00	00	97
	190/3	00	03	44
	190/2	00	01	28
	190/1	00	00	10
	180/1बी	00	13	09
	180/1ए	00	00	36
	180/2	00	04	35
	180/4ए	00	05	26
	180/4बी	00	00	70
	180/3डी	00	20	52
	180/3सी	00	00	38
	180/3बी	00	03	87
	180/3ए	00	00	29
	179/ए/3	00	10	86
	179/ए/14	00	00	45
	181/9बी3	00	01	04
	181/9सी1	00	01	88
	178/ए/2	00	60	47

1	2	3	4	5
3) कुप्पुडीसल्लम (निरंतर)	178/ए/1आए	00	00	10
	178/ए/1वाय	00	05	28
	सर्वे न. 374 में गम्ता	00	08	75
	178/वा/2	00	24	71
	178/वा/1वा	00	21	79
	178/वा/1ए	00	01	49

[फा सं. एल.-14014/85/2010-जी.पी.]

स्नेह प्रभा मदान, अव्वर सचिव

New Delhi, the 12th November, 2010

S. O. 2880.— Whereas it appears to Government of India that it is necessary in public interest that transportation of natural gas from terminal point of Vijayawada – Nellore – Chennai pipeline near Tiruttani in Tamil Nadu to consumers in various parts of the country, Chennai - Tuticorin pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of this notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri V.Venkatasubbu, Competent Authority, Relogistics Infrastructure Limited, No. 89, Dr. RadhaKrishnan Salai, 6th Floor, Mylapore, Chennai - 600004, Tamil Nadu State.

Schedule

Taluk: Cheyyar		District: Thiruvannamalai		State: Tamil Nadu	
Village	Survey No./Sub-Division No.	Area to be acquired for RoU			
		Hac	Are	C-Are	
1	2	3	4	5	
1) Manapakkam	526/1B	00	09	87	
	526/1A	00	14	39	
	526/1D	00	11	74	
	453/1	00	42	07	
	453/2A	00	03	88	
	456	00	12	02	
	458	00	45	64	
2) Nayantangal	302/3	00	00	80	
	73/1B	00	24	49	
	73/1A	00	00	76	
	73/2B	00	28	82	
	73/3	00	20	37	
	74/2	00	10	06	
Taluk: Polur		District: Thiruvannamalai		State: Tamil Nadu	
1) Severapoondi	Nala in Survey No.223/11	00	00	37	
	Nala in Survey No.223/9	00	02	66	
	Nala in Survey No.223/8	00	00	71	
	223/9	00	02	75	
	223/8	00	09	26	
	223/6	00	09	92	
	223/4B	00	00	10	
	223/5	00	03	91	
	223/2	00	00	66	
	223/12	00	02	51	
	223/15	00	01	85	
	223/14	00	06	28	
	225/2	00	00	11	
	223/13	00	06	46	
	225/1	00	07	33	
	225/3	00	00	12	
	224	00	04	33	
	283/1B	00	04	13	
	283/1A	00	14	03	
	283/2	00	03	86	
	283/4B	00	02	74	
	283/4A	00	01	50	
	283/3	00	03	38	
	284/1	00	02	04	

1	2	3	4	5
1) Severapoondi (Contd)	284/2	00	38	41
	284/3	00	00	90
	284/4	00	17	75
	284/5	00	02	80
	286/2	00	34	47
	289/1A	00	00	16
	286/3	00	10	86
	286/8B	00	00	88
	286/8C	00	11	22
	291	00	01	39
	286/9C	00	08	66
	286/9B	00	01	07
	319/1	00	92	72
	293/1	00	16	11
	293/3	00	00	54
	293/4	00	00	37
	319/6	00	28	87
	319/8	00	18	06
	319/9	00	41	55
	319/10	00	00	10
	319/15	00	53	20
	319/14	00	23	58
	319/12	00	04	16
	319/13	00	31	12

Taluk: Thiruvannamalai	District: Thiruvannamalai	State: Tamil Nadu		
1) Vedandavadi	153/1A1A	00	53	13
	153/1A3C	00	14	09
	153/1B1	00	12	36
	152/2B	00	02	97
	152/2D	00	02	46
	156/1B	00	05	86
	157/1B	00	22	49
	157/2	00	13	92
	163/1A5B	00	06	59
	163/1A5A	00	13	47
	163/3	00	00	40
	163/1B1	00	08	78
	163/1A4	00	27	18
	Nala in Survey No.169	00	02	04
	168/3A	00	06	26
	168/2B	00	12	61
	168/7A	00	03	37

1	2	3	4	5
1) Vedandavadi (Contd)	168/7B	00	05	64
	168/7C	00	05	21
	168/7D	00	04	38
	168/6E	00	00	10
	168/7F	00	03	44
	168/7E	00	05	78
	168/6H	00	03	11
	168/6G	00	00	10
	174/3B	00	00	75
	174/3A	00	01	13
	174/2C	00	02	61
	174/3F	00	00	85
	174/2D	00	01	17
	174/2B	00	07	52
	174/3G	00	00	10
	174/2F	00	08	59
	174/2H	00	01	99
	174/2G	00	03	82
	174/5B	00	01	30
	174/5A	00	03	85
	174/1I	00	10	02
	174/1J	00	01	15
	174/1K	00	03	73
	174/6A	00	00	72
	252/1C	00	06	79
	252/1B	00	00	81
	252/1D	00	08	44
	252/1E	00	03	33
	252/1H	00	26	54
	252/1G	00	00	94
	255/4C	00	02	53
	255/4K	00	12	83
	255/4J	00	03	86
	255/4I	00	02	20
	255/4D	00	00	22
	255/4H	00	04	08
	255/4E	00	01	76
	255/4F	00	02	28
	255/4G	00	02	27
	255/4B	00	01	52
	256/5	00	21	94

1	2	3	4	5
1) Vedandavadi (Contd)	256/4	00	39	14
	256/2	00	00	42
	261/1B	00	03	06
	261/4A	00	00	29
	261/1A2	00	16	44
	261/2	00	01	97
	261/3A	00	11	38
	261/3B	00	09	80
	260/2A2A	00	04	24
	260/2A2B	00	02	46
	260/2A2C	00	00	25
	260/2A1	00	23	27
	266/2	00	14	30
	266/4B	00	17	39
	266/4A	00	00	10
	266/10B2	00	02	65
	265/7C	00	00	43
	265/6B	00	00	14
	265/10A2	00	00	81
	265/10B1	00	01	10
	265/7B	00	01	35
	265/10A1	00	02	09
	265/9	00	00	41
	265/7A	00	08	07
	265/11B	00	00	10
	265/11A2	00	00	15
	265/11A1	00	04	86
	136/17A	00	10	26
	136/18A	00	04	06
	136/16	00	02	15
	136/23A	00	01	78
	136/21	00	10	32
	136/20	00	00	55
	Road in Survey No.302/3	00	02	86
	300/5A	00	01	52
	300/4	00	03	84
	300/2	00	00	95
	300/3	00	01	80
	300/8	00	03	19
	300/12	00	00	10
	301/4	00	04	04

1	2	3	4	5
1) Vedandavadi (Contd)	301/5	00	08	10
	301/7	00	01	71
	301/6	00	03	92
	301/8	00	00	76
	Nala in Survey No.304	00	14	67
	303/7	00	01	16
	303/9	00	06	39
	305/6A	00	03	95
	305/6B	00	00	59
	303/8	00	02	38
	305/5	00	04	42
	305/4	00	03	98
	305/3	00	02	89
	305/2	00	01	21
	305/1	00	00	10
	305/19B	00	00	19
	305/18	00	02	19
	305/15	00	04	20
	305/16	00	02	20
	305/17	00	02	25
	298/2	00	00	28
	298/1	00	02	27
	305/14	00	06	28
	305/13	00	03	76
	305/11	00	00	10
	305/12	00	04	09
	397	00	30	28
	295/15B	00	00	51
	295/20	00	04	85
	295/19	00	03	52
	295/18B	00	00	56
	295/18A	00	00	11
	296/8	00	00	10
	296/9B	00	01	21
	296/12B	00	02	35
	296/17	00	08	85
	283/1A	00	01	54
	296/14	00	00	12
	296/16	00	11	38
	296/19B	00	03	43
	296/20	00	03	98

1	2	3	4	5
1) Vedandavadi (Contd)	296/19A	00	00	10
	284/2A	00	03	15
	284/3A	00	01	83
	284/3B	00	00	44
	284/1	00	11	06
	288	00	02	56
	284/6A	00	00	86
	284/4A	00	14	70
	284/4B	00	17	02
	284/8	00	00	88
	284/9	00	00	57
	284/10	00	00	10
	284/7	00	12	84
	286/1A	00	00	60
	286/1B	00	00	11
	286/2A	00	04	67
	286/2B	00	03	54
	284/11	00	02	41
	284/5	00	00	10
	286/1G	00	08	30
	285/3	00	09	78
	285/5	00	07	00
	285/1	00	05	84
	285/2	00	00	10
2) Konalur	90/2A	00	29	03
	90/2C	00	09	79
	90/2D	00	09	77
	90/2E	00	11	26
	92	00	37	60
	84/2	00	24	35
	84/1	00	01	98
	84/3A	00	14	53
	84/3B	00	11	37
	84/6A	00	04	48
	84/5A	00	03	69
	84/6B	00	01	62
	84/5B	00	06	42
	84/4B	00	00	47
	84/5C	00	04	74
	84/4C	00	02	53
	84/5D	00	02	55

1	2	3	4	5
2) Konalur (Contd)	84/4D	00	05	82
	85	00	21	33
	87/2F	00	00	59
	86/2	00	01	64
	86/3	00	03	56
	86/4	00	04	60
	86/5	00	17	35
	86/7	00	21	28
	75/1A1	00	20	77
	75/1A2	00	27	16
	74	00	08	76
	31/1B	00	05	78
	31/2B	00	01	72
	31/2E	00	20	28
	31/2D2	00	03	62
	33/11	00	04	64
	33/10	00	32	01
	33/9B	00	01	91
	40/2A	00	03	35
	40/1A	00	04	49
	40/1B	00	13	05
	40/1C	00	06	92
	40/1D	00	05	43
	39	00	54	22
	Road in Survey No.42	00	03	90
	Road in Survey No.43	00	02	50
	46/6A	00	02	09
	46/5	00	03	08
	46/3	00	02	47
	46/4D	00	14	07
	46/4C2	00	04	45
	Nala in Survey No.46/1	00	05	99
	48	00	29	71
	45	00	14	41
	49/1	00	03	55
Taluk: Arakkonam District: Vellore State: Tamil Nadu				
1) Nangamangalam	220/1	00	01	79
	219/1B	00	25	79
	219/1A	00	33	65
	214/2	00	00	10
	213/2D	00	06	19
	213/2C	00	00	10

1	2	3	4	5
1) Nangamangalam (Contd)	213/3B	00	21	19
	213/3A2	00	01	39
	227	00	04	86
	225/4	00	18	11
	225/6	00	37	48
2) Panapakkam	411	00	12	56
	392	00	29	10
3) Melapuram	1/2	00	05	22
	2	00	15	59
	3	00	03	08
	10	00	02	14
	16	00	30	20
	9	00	00	75
	12	00	19	33
	13	00	59	69
	69	00	03	91
	71	00	21	09
	73	00	92	64
	75	00	72	44
	Road in Survey No.78	00	01	55

Taluk: Arcot	District: Vellore	State: Tamil Nadu		
1) Pali	17/2B	00	18	71
	18/1	00	02	24
	18/2	00	00	10
	17/4	00	05	15
	17/5	00	03	75
	17/6	00	00	58
	18/3	00	00	83
	15/4AB	00	07	54
	18/5	00	00	33
	18/4	00	07	47
	15/4B	00	01	01
	15/5	00	19	83
	15/3	00	03	27
	27/4A	00	01	49
	27/1	00	15	37
	27/2	00	07	02
	26/1	00	03	48
	26/2	00	07	83
	26/3	00	01	16
	25/2	00	09	40
	25/3	00	00	34

1	2	3	4	5
1) Pali (Contd)	25/1	00	02	49
	36/1	00	00	94
	36/2	00	03	49
	37/1	00	08	86
	37/2	00	08	35
	37/3	00	00	65
	37/4A	00	02	58
	38/1A	00	01	91
	38/1B	00	03	19
	38/2	00	07	71
	38/3	00	13	12
	41/2	00	01	23
	41/3	00	06	53
	258	00	00	10
	254	00	14	78
	255	00	05	67
	253/2	00	01	15
	253/4A	00	08	28
	253/1B	00	06	16
	253/4B	00	05	23
	253/5	00	02	46
	253/6	00	01	44
	253/3	00	10	31
	269/4B	00	00	23
	270	00	10	65
	269/1	00	00	11
	250/13	00	00	10
	249/8	00	04	31
	249/6	00	00	10
	249/7	00	01	19
	248/1	00	06	75
	248/2	00	02	85
	249/5	00	04	78
	245/1	00	14	86
	245/2	00	10	68
	244/8	00	00	10
	244/9	00	04	68
	281/1	00	09	24
	281/3	00	02	99
	281/2	00	06	87
	281/5	00	00	93

1	2	3	4	5
1) Pali (Contd)	236/5	00	00	13
	236/6	00	00	16
	283/3	00	19	82
	283/1	00	01	17
	284/1	00	08	55
	284/3	00	00	74
	284/2	00	09	10
	285	00	04	50
	286	00	01	55
	287/5	00	06	14
	287/3	00	15	10
	287/2	00	00	15
	287/4	00	09	60
	287/1	00	00	95
	289/4A	00	00	16
	289/4B	00	00	75
	289/5A	00	01	09
	289/5B	00	03	13
	288/1	00	00	67
	299/1	00	08	33
	299/2	00	08	66
	299/3	00	06	37
	298/1	00	00	82
	298/2	00	11	20
	327/2	00	05	11
	327/1	00	06	87
	327/4	00	01	39
	328	00	22	23
	345/3A	00	29	71
	343/1D	00	25	15
	343/2F	00	04	57
	343/2E	00	16	48
	343/2D	00	10	07
	343/3I	00	04	49
	343/3A	00	03	77
	343/3B	00	04	96
	343/3C	00	06	10
	343/3D	00	06	61
	343/3E	00	07	06
	343/3F	00	06	51
	342/6	00	06	72

1	2	3	4	5
1) Pali (Contd)	342/7	00	06	38
	342/8	00	06	60
	342/9	00	08	03
2) Donimedu	180/2B	00	17	89
	180/2C3	00	16	04
	180/2C4	00	05	57
	180/2E	00	13	86
	180/3	00	09	09
	Road in Survey No. 180/5	00	07	59
	180/4	00	09	44
	179/1A	00	43	45
	178	00	01	59
	179/2	00	24	92
	177/7	00	00	10
	177/8	00	00	78
	181	00	01	76
	183/2	00	18	49
	180/2A2	00	00	31
	183/1	00	03	62
	184/2	00	00	10
	184/3	00	03	71
	184/4	00	04	59
	184/5	00	05	65
	184/6	00	03	41
	185/11	00	00	62
	185/10	00	00	73
	185/9	00	02	31
	185/8	00	00	74
	222/1	00	00	55
	185/7	00	14	49
	185/6	00	00	11
	192/3	00	00	10
	192/6	00	04	39
	192/5	00	01	77
	186/1	00	11	11
	187/4	00	00	66
	187/7	00	02	84
	187/8	00	05	23
	187/6	00	03	65
	187/5	00	02	34
	219/1	00	08	17

1	2	3	4	5
2) Donimedu (Contd)	219/4	00	01	47
	219/3	00	01	57
	219/2	00	03	37
	207	00	03	86
	208	00	07	67
	205	00	24	46
	River in Survey No.205	00	19	67
	99/2	00	21	92
3) Kuppudisatham	230	00	45	09
	194/1	00	06	50
	194/2	00	04	40
	195/6	00	00	71
	195/7	00	06	76
	193/1	00	03	65
	193/2	00	02	21
	193/3	00	02	00
	193/6	00	07	30
	193/4	00	02	91
	193/5	00	05	00
	189/4	00	00	11
	190/6	00	05	63
	190/5	00	07	36
	190/4	00	10	23
	191/1	00	00	97
	190/3	00	03	44
	190/2	00	01	28
	190/1	00	00	10
	180/1B	00	13	09
	180/1A	00	00	36
	180/2	00	04	35
	180/4A	00	05	26
	180/4B	00	00	70
	180/3D	00	20	52
	180/3C	00	00	38
	180/3B	00	03	87
	180/3A	00	00	29
	179/A/3	00	10	86
	179/A/14	00	00	45
	181/9B3	00	01	04
	181/9C1	00	01	88
	178/A/2	00	60	47

1	2	3	4	5
3) Kuppudisatham (Contd)	178/A/1R	00	00	10
	178/A/1Y	00	05	28
	Road in Survey No.374	00	08	75
	178/B/2	00	24	71
	178/B/1B	00	21	79
	178/B/1A	00	01	49

[F. No. L-14014/85/2010-GP]
SNEH P. MADAN, Under Secy.

नई दिल्ली, 12 नवम्बर, 2010

का. आ. 2881.— भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि तमिलनाडु में तिरुतुनी के पास विजयवाडा-नैल्लोर-चैन्नई पाइपलाइन के टर्मिनल प्वाइंट से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा चैन्नई-ट्यूटीकोरिन पाइपलाइन विछाई जानी चाहिए;

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपावद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाई जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री वी. वेंकटसुब्बु, सक्षम प्राधिकारी, रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड, न. 89, डॉ. गधाकृष्णन सलाई, छठवीं मंजिल, मैलापुर, चैन्नई - 600004, तमिलनाडु राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तालुक : कल्लवकुरिच्चि		जिला : विल्लुपुरम		राज्य : तमिलनाडु	
गाँव का नाम	सर्वे सं./ सब डिविजन सं.	आर.ओ.यू.-अर्जित करने के लिए क्षेत्रफल			
		हेक्टेयर	एयर	सि एयर	
1	2	3	4	5	
1) पदरमपाल्लाम	40/2	00	10	08	
	40/3	00	07	91	
	44/1	00	11	54	
	44/2	00	10	08	
	44/3	00	06	88	
	45/1	00	32	70	
	46	00	17	83	
	45/2	00	02	21	
2) टेंगियानाटम	115/3	00	15	39	
	115/2	00	08	47	
	115/4	00	03	77	
	115/1	00	44	52	
	90/2ए	00	04	00	
	90/1	00	20	97	
	90/2बी	00	13	67	
	90/4	00	04	92	
	91/1	00	28	72	
	91/15बी	00	00	11	
	91/15ए	00	20	83	
	89/7	00	09	03	
	93/1	00	08	28	
	93/2	00	09	88	
	93/3	00	10	55	
	94/1ए	00	03	50	
	94/1बी	00	04	60	
	87	00	01	07	
	85/1	00	15	01	
	85/2ए	00	31	08	
	85/2बी	00	07	97	
	94/2	00	00	10	
	84/3	00	11	45	
	84/2बी	00	02	37	
	14/2ए	00	07	78	
	14/2बी1	00	01	85	
	33/1ए	00	02	93	
	33/1बी2	00	03	03	
	33/4बी	00	05	50	

1	2	3	4	5
2) टेंगियानाटम (निरंतर)	15/1	00	11	37
	32/4ओ	00	09	83
	15/3	00	13	08
	15/2ए	00	11	69
	16	00	06	76
	17/3	00	01	73
	17/4	00	32	20
	17/2	00	00	10
	19/2ए	00	17	73
	18/3अ	00	04	59
	19/2बी	00	13	45
	18/3बी	00	03	48
	18/3सी	00	08	14
	19/4ए	00	12	69
	19/4बी	00	19	45
	सर्वे न. 25/2 में रास्ता	00	01	87
	सर्वे न. 26/2ए में रास्ता	00	00	44
	26/2बी	00	04	27
	25/1	00	31	27
3) टेनसेट्टियांडल	59/1ए	00	00	10
	59/2	00	05	47
	60/2	00	22	53
	60/3ए	00	01	71
	60/4	00	12	74
	60/7	00	13	14
	60/6	00	09	05
	60/5	00	00	60
	58/14	00	01	82
	58/13	00	02	32
	58/2	00	03	06
	58/8	00	04	64
	58/4	00	10	57
	58/5	00	17	16
	61/5	00	05	39
	61/16	00	11	83
	61/17	00	16	92
	61/15	00	03	27
	61/11	00	15	09
	61/10	00	21	26
	सर्वे न. 61/12 में नाला	00	01	43
	61/21	00	02	42

1	2	3	4	5
3) टेनसेट्टियांडल (निरंतर)	61/24	00	25	90
	51/23	00	08	13
	62/15	00	17	66
	62/14	00	03	85
	62/13	00	21	89
	62/12	00	11	21
	62/10	00	26	83
	62/8	00	26	49
	62/6	00	05	18
	62/7	00	10	32
	62/4	00	41	89
	62/3	00	07	84
	199/9	00	16	16
	199/6	00	02	44
	199/7	00	15	04
	199/8	00	01	19
	199/27	00	13	26
	199/26	00	03	40
	200/14	00	02	39
	200/3	00	20	86
	200/13	00	03	95
	200/2	00	04	47
	200/9	00	02	12
	200/8	00	08	33
	204/2	00	17	51
	204/4	00	13	60
	204/5	00	03	23
	204/6	00	00	26
	204/7	00	00	91
	204/9	00	01	93
	204/8	00	08	65
	205/17	00	13	76
	205/16	00	01	21
	सर्वे न. 205/2 में रास्ता	00	00	54
	205/13	00	01	52
	205/14	00	04	07
	205/15	00	16	62
	205/1	00	04	62
4) मरवानाष्टाम	162/14	00	17	63
	160/1वी	00	03	33
	162/1ए	00	06	40

1	2	3	4	5
4) मरवानाड्डाम (निरंतर)	160/3	00	12	87
	160/10	00	09	19
	160/11	00	09	56
	160/12ए	00	06	59
	160/4ए	00	00	49
5) टकराय	108	00	51	81
	107/2	00	21	46
	106	00	30	38
	111/3	00	02	29
	111/4	00	26	06
	103/1सी	00	03	59
	111/2वी	00	01	82
	103/1ए	00	19	85
	103/1वी	00	00	88
	सर्वे न. 102 में नाला	00	06	99
	97/5	00	06	72
	97/4	00	00	58
	97/8	00	06	09
	97/7वी	00	07	72
	97/7ए	00	01	43
	97/6	00	01	46
	97/12	00	03	48
	97/11	00	03	87
	97/10	00	04	78
	97/9	00	07	57
	सर्वे न. 96 में रास्ता	00	08	50
	92/5सी	00	00	63
	92/6सी	00	03	34
	92/7	00	05	29
	92/9वी	00	08	35
	92/9ए	00	03	01
	92/8	00	02	78
	92/10ए	00	08	79
	92/10ई	00	14	83
	88/1	00	00	59
	92/10वी	00	01	56
	92/10सी	00	04	88
	92/10डी	00	04	47
	सर्वे न. 91 में चैनल	00	03	36
	88/2	00	00	10
	89/11	00	06	20

1	2	3	4	5
5) टकराय (निरंतर)	89/12	00	14	61
	90	00	11	24
	89/10वी	00	01	42
	73/पी	00	00	50
	89/10सी	00	08	34
	89/9	00	04	75
	73/1वी2	00	18	10
	73/1वी1	00	01	96
	73/1ए	00	15	66
	सर्वे न. 76 में रास्ता	00	04	65
	80	00	51	40
	79	00	00	49
	78	00	07	26
	40/1	00	02	06
	40/2वी	00	13	11
	40/2ए	00	02	05
	40/3	00	09	73
	44/4आड	00	00	81
	44/4जे	00	00	91
	40/4	00	00	93
	सर्वे न. 41 में रास्ता	00	01	51
	44/5वी	00	14	75
	44/10	00	00	10
	44/9	00	06	05
	44/8	00	18	11
	43/2	00	09	09
	सर्वे न. 43/1 में रास्ता	00	07	60
	54/3	00	00	96
	54/2	00	12	52
	54/1	00	14	15
	47	00	14	37
	54/5	00	04	76
	54/4ए	00	06	96
	54/4वी	00	11	55
	53/1ए	00	02	62
	52/4सी2	00	04	57
	52/7डी	00	09	81
	52/7सी	00	06	74
	52/10एच	00	00	16
	52/10जी	00	03	28
	52/7वी	00	00	40

1	2	3	4	5
5) टकराय (निरंतर)	52/7ए	00	00	15
	52/10ए	00	01	59
	52/10आइ	00	00	85
	52/10एफ	00	01	04
	52/10ई	00	01	63
	52/10वी	00	01	15
	52/10डी	00	02	36
	52/10सी	00	12	63
	52/9	00	04	74
	52/13	00	05	37
	52/12वी	00	08	20
	19/4	00	04	81
	19/2	00	02	58
	19/3	00	15	85
	20	00	26	46
	22/1	00	03	85
	22/2ए	00	23	73
	22/3ई	00	00	61
	सर्वे न. 22/2वी में रास्ता	00	01	85
	22/2सी	00	00	35
	22/3सी	00	19	96
	22/4	00	08	50
	23	00	12	41
	24/2	00	23	71
	24/3	00	28	35
	24/1	00	05	66
6) कल्लानाट्टम	146/1ए	00	17	85
	146/1वी	00	04	47
	147/1ए	00	32	18
	147/1वी	00	08	40
	133/1	00	03	89
	133/2	00	45	54
	133/3	00	04	56
	132/3डी	00	17	80
	132/3ए	00	01	90
	132/3वी	00	01	32
	132/3सी	00	00	27
	132/2सी	00	02	32
	132/2वी	00	12	86
	132/2ए	00	01	77
	132/1	00	06	07

1	2	3	4	5
6) कल्लानाट्टम (निरंतर)	134/1	00	07	40
	134/2	00	03	05
	136/1	00	01	44
	126	00	02	43
	137	00	02	27
	125/1	00	09	62
	125/2	00	00	10
	122/2	00	14	67
	122/3	00	03	26
	122/1	00	26	58
	121/6वी	00	11	09
	121/6ए	00	09	17
	121/8	00	02	54
	121/5	00	11	20
	121/4सी	00	08	65
	121/4ए	00	00	97
	121/4वी	00	01	52
	121/3ए	00	05	32
	121/3वी	00	07	55
	119	00	06	74
	113/3	00	12	02
	113/4	00	07	64
	115/1ए3	00	24	77
	115/1वी	00	00	10
	115/1ए1	00	17	18
	102/4डी	00	13	16
	सर्वे न. 102/4ए में रास्ता	00	02	65
	102/2	00	00	10
	102/3	00	23	16
	49/7	00	00	18
	49/6	00	05	77
	49/5	00	10	67
	49/4वी	00	00	38
	49/15	00	05	59
	49/14वी	00	05	56
	49/14ए	00	03	39
	49/3	00	11	39
	49/12	00	11	07
	50/14ए	00	01	81
	50/14वी	00	02	32
	50/13वी 2ए	00	03	20

1	2	3	4	5
6) कल्लानाडम (निरंतर)	50/13वी1	00	00	89
	50/8वी	00	04	56
	50/9	00	03	64
	50/10	00	04	59
	50/11	00	01	49
	51/21	00	00	39
	51/22	00	11	01
	50/12	00	00	10
	51/2ए	00	02	28
	सर्वे न. 64 में नाला	00	08	69
	65/4वी	00	31	45
	65/5	00	08	62
	65/3	00	00	12
	66/2	00	17	38
	66/3	00	14	59
	75/5	00	21	41
	75/4	00	00	57
	75/6	00	35	75
	74/1	00	17	08
तालुक शंकरापुरम	जिला शिवल्लुपुरम	राज्य शतभिलनाडु		
1) चोलमबटु	79	00	03	30
	80	00	17	21
2) तिरुक्कनगुर	40/1	00	00	25
	40/2	00	04	46
	40/3	00	50	61
	40/4वी	00	20	91
	40/4ए	00	04	18
	42/3सी	00	02	04
	42/3वी	00	01	12
	40/5	00	01	79
	43	00	04	94
	52/5सी	00	15	23
	52/5वी	00	00	22
	52/6	00	20	33
	52/4	00	01	15
	51/4	00	06	49
	51/1सी	00	14	58
	51/1वी	00	03	73
	51/3	00	00	61
	51/2	00	25	48
	50/3सी	00	00	77
	50/3डी	00	04	80

1	2	3	4	5
2) तिल्लकनगुर (निरंतर)	57/9ए	00	06	47
	57/9बी	00	00	50
	57/8	00	11	49
	57/7सी	00	01	35
	57/7डी	00	05	89
	57/7बी2	00	17	68
	57/7बी1	00	01	01
	सर्वे न. 55 में रास्ता	00	03	98
	178/1	00	03	25
	177/3	00	32	70
	177/4	00	07	53
	177/7	00	12	84
	177/8	00	09	11
	188/3	00	07	68
	188/4	00	03	95
	188/5	00	01	10
	188/2डी	00	13	55
	188/2सी	00	03	01
	188/8	00	23	07
	188/6	00	00	78
	187/4ए	00	00	10
	187/3ए	00	06	65
	187/3बी	00	00	56
	187/1बी	00	12	91
	187/1ए	00	01	13
	187/2ए	00	08	82
	187/2बी	00	03	25
	190/9	00	30	56
	190/6सी	00	01	12
	186/1	00	01	77
	186/3	00	00	51
	186/2	00	01	18
	191/1	00	28	18
	191/2	00	21	17
	191/3	00	27	98
	192/3बी	00	01	19
	192/3ए	00	24	25
3) पोमबराप्पटु	58/2ए	00	06	10
	सर्वे न. 58 में रास्ता	00	14	35
	59/2	00	02	57
	60/4	00	51	35

1	2	3	4	5
3) पोषवराप्पदु (निरंतर)	67/1	00	01	61
	60/3	00	02	11
	61/7	00	23	61
	61/1	00	12	95
	66/5	00	00	10
	66/1	00	29	60
	66/2	00	17	10
	65/8	00	19	79
	65/7	00	11	83
	65/5	00	10	50
	69/1	00	11	43
	69/4	00	00	24
	70/2वी	00	10	88
	72/5	00	06	71
	72/3	00	24	01
	72/1	00	24	22
	72/2	00	08	44
	71/6	00	16	69
	73/6	00	15	69
	73/7	00	00	23
	73/1	00	05	76
	73/9	00	02	02
	73/8	00	02	73
	73/2	00	14	87
	सर्वे न. 90 में नदी	00	08	27
	91/2	00	04	48
	91/1	00	07	57
	91/3	00	01	01
	91/4ए	00	00	39
	91/4वी	00	00	37
4) सेम्बदाकुरिच्चि	सर्वे न. 1/1 में गस्ता	00	05	95
	1/2ए3	00	32	78
	1/5	00	09	86
	1/4	00	16	96
	1/3	00	00	18
	1/9ए	00	00	75
	1/6	00	04	19
	1/7	00	06	49
	1/8	00	08	66
	8/4	00	00	77
	8/3	00	04	89

1	2	3	4	5
4) सेम्बदाकुरिच्चि (निरंतर)	8/2	00	05	60
	8/1	00	03	74
	8/7ए	00	04	65
	8/6ए	00	03	21
	8/6वी	00	03	93
	8/6सी	00	03	19
	7/3	00	02	08
	10/1	00	04	08
	10/2	00	02	68
	7/5	00	01	86
	7/4ए	00	02	56
	7/4वी	00	04	01
	7/8	00	06	02
	7/12	00	02	84
	7/11	00	09	01
	7/10ए	00	00	48
	7/10वी	00	01	46
	7/10सी	00	03	13
	15/8	00	03	10
	15/7	00	05	64
	15/9	00	00	84
	15/17	00	07	97
	14/6	00	03	97
	14/1	00	02	70
	14/2	00	03	43
	16/6	00	00	10
	14/10	00	00	78
	14/3	00	02	00
	14/4	00	02	34
	14/5	00	01	95
	14/12वी	00	00	30
	14/12ए	00	03	39
	16/9	00	01	59
	16/11	00	07	36
	सर्वे न. 23 में गस्ता	00	01	88
	24/1	00	05	35
	25/3	00	02	03
	25/4	00	04	34
	25/6	00	05	25
	25/10	00	01	96
	25/9	00	04	06

1	2	3	4	5
4) सेम्बदाकुरिच्चि (निरंतर)	25/12	00	05	83
	25/11	00	01	31
	25/14	00	00	57
	25/13	00	06	15
	25/17	00	01	37
	25/16	00	03	16
	25/15	00	01	69
	25/19	00	00	20
	25/20	00	00	10
	25/18	00	05	63
	26/17	00	00	10
	52/2ए	00	02	26
	52/1	00	04	72
	52/5	00	00	91
	52/4	00	05	28
	52/9	00	00	28
	52/8	00	08	57
	52/7वी	00	00	10
	52/13	00	00	87
	52/14	00	00	16
	52/12	00	06	64
	52/11	00	07	25
	52/10वी	00	00	55
	52/10सी	00	01	49
	51/1	00	26	01
	48/6	00	02	19
	48/11	00	07	17
	48/10	00	00	30
	48/13	00	02	03
	48/14ए	00	01	54
	48/15ए	00	01	04
	48/15वी	00	00	86
	48/14वी	00	01	43
	48/16	00	11	06
	48/20	00	01	26
	48/19	00	10	71
	60/12सी2	00	17	47
	61/5ए	00	02	93
	61/4	00	07	58
	61/3	00	12	16
	61/2	00	10	42

1	2	3	4	5
4) सेम्बदाकुरिच्चि (निरंतर)	61/1	00	05	41
	67/14	00	00	44
	62	00	08	60
	66/5	00	04	14
	66/6	00	06	00
	66/10	00	00	11
	66/11	00	00	84
	सर्वे न. 63 में नाला	00	18	66

[फा सं. एल.-14014/84/2010-जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 12th November, 2010

S. O. 2881.— Whereas it appears to the Government of India that it is necessary in public interest that for transportation of Natural gas from terminal point of Vijayawada – Nellore – Chennai pipeline near Tiruttani in Tamil Nadu to consumers in various parts of the country, Chennai - Tuticorin pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to the Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of this notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri V.Venkatasubbu, Competent Authority, Relogistics Infrastructure Limited, No. 89, Dr. RadhaKrishnan Salai, 6th Floor, Mylapore, Chennai - 600004, Tamil Nadu State.

Schedule

Taluk:Kallakkurichchi		District:Villupuram		State:Tamil Nadu	
Village	Survey No./Sub-Division No.	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Padarampallam	40/2	00	10	08	
	40/3	00	07	91	
	44/1	00	11	54	
	44/2	00	10	08	
	44/3	00	06	88	
	45/1	00	32	70	
	46	00	17	83	
	45/2	00	02	21	
2) Tengiyannattam	115/3	00	15	39	
	115/2	00	08	47	
	115/4	00	03	77	
	115/1	00	44	52	
	90/2A	00	04	00	
	90/1	00	20	97	
	90/2B	00	13	67	
	90/4	00	04	92	
	91/1	00	28	72	
	91/15B	00	00	11	
	91/15A	00	20	83	
	89/7	00	09	03	
	93/1	00	08	28	
	93/2	00	09	88	
	93/3	00	10	55	
	94/1A	00	03	50	
	94/1B	00	04	60	
	87	00	01	07	
	85/1	00	15	01	
	85/2A	00	31	08	
	85/2B	00	07	97	
	94/2	00	00	10	
	84/3	00	11	45	
	84/2B	00	02	37	
	14/2A	00	07	78	
	14/2B1	00	01	85	
	33/1A	00	02	93	
	33/1B2	00	03	03	
	33/4B	00	05	50	

1	2	3	4	5
2) Tengiyattam (Contd)	15/1	00	11	37
	32/4O	00	09	83
	15/3	00	13	08
	15/2A	00	11	69
	16	00	06	76
	17/3	00	01	73
	17/4	00	32	20
	17/2	00	00	10
	19/2A	00	17	73
	18/3A	00	04	59
	19/2B	00	13	45
	18/3B	00	03	48
	18/3C	00	08	14
	19/4A	00	12	69
	19/4B	00	19	45
	Road in Survey No.25/2	00	01	87
	Road in Survey No.26/2A	00	00	44
	26/2B	00	04	27
	25/1	00	31	27
3) Ten ⁶ settiyandal	59/1A	00	00	10
	59/2	00	05	47
	60/2	00	22	53
	60/3A	00	01	71
	60/4	00	12	74
	60/7	00	13	14
	60/6	00	09	05
	60/5	00	00	60
	58/14	00	01	82
	58/13	00	02	32
	58/2	00	03	06
	58/8	00	04	64
	58/4	00	10	57
	58/5	00	17	16
	61/5	00	05	39
	61/16	00	11	83
	61/17	00	16	92
	61/15	00	03	27
	61/11	00	15	09
	61/10	00	21	26
	Nala in Survey No.61/12	00	01	43
	61/21	00	02	42

1	2	3	4	5
3) Ten settiyandal (Contd)	61/24	00	25	90
	61/23	00	08	13
	62/15	00	17	66
	62/14	00	03	85
	62/13	00	21	89
	62/12	00	11	21
	62/10	00	26	83
	62/8	00	26	49
	62/6	00	05	18
	62/7	00	10	32
	62/4	00	41	89
	62/3	00	07	84
	199/9	00	16	16
	199/6	00	02	44
	199/7	00	15	04
	199/8	00	01	19
	199/27	00	13	26
	199/26	00	03	40
	200/14	00	02	39
	200/3	00	20	86
	200/13	00	03	95
	200/2	00	04	47
	200/9	00	02	12
	200/8	00	08	33
	204/2	00	17	51
	204/4	00	13	60
	204/5	00	03	23
	204/6	00	00	26
	204/7	00	00	91
	204/9	00	01	93
	204/8	00	08	65
	205/17	00	13	76
	205/16	00	01	21
	Road in Survey No.205/2	00	00	54
	205/13	00	01	52
	205/14	00	04	07
	205/15	00	16	62
	205/1	00	04	62
4) Maravanattam	162/14	00	17	63
	160/1B	00	03	33
	162/1A	00	06	40

1	2	3	4	5
4) Maravanattam (Contd)	160/3	00	12	87
	160/10	00	09	19
	160/11	00	09	56
	160/12A	00	06	59
	160/4A	00	00	49
5) Takarai	108	00	51	81
	107/2	00	21	46
	106	00	30	38
	111/3	00	02	29
	111/4	00	26	06
	103/1C	00	03	59
	111/2B	00	01	82
	103/1A	00	19	85
	103/1B	00	00	88
	Nala in Survey No.102	00	06	99
	97/5	00	06	72
	97/4	00	00	58
	97/8	00	06	09
	97/7B	00	07	72
	97/7A	00	01	43
	97/6	00	01	46
	97/12	00	03	48
	97/11	00	03	87
	97/10	00	04	78
	97/9	00	07	57
	Road in Survey No.96	00	08	50
	92/5C	00	00	63
	92/6C	00	03	34
	92/7	00	05	29
	92/9B	00	08	35
	92/9A	00	03	01
	92/8	00	02	78
	92/10A	00	08	79
	92/10E	00	14	83
	88/1	00	00	59
	92/10B	00	01	56
	92/10C	00	04	88
	92/10D	00	04	47
	Channel in Survey No.91	00	03	36
	88/2	00	00	10
	89/11	00	06	20

1	2	3	4	5
5) Takarai (Contd)	89/12	00	14	61
	90	00	11	24
	89/10B	00	01	42
	73/P	00	00	50
	89/10C	00	08	34
	89/9	00	04	75
	73/1B2	00	18	10
	73/1B1	00	01	96
	73/1A	00	15	66
	Road in Survey No.76	00	04	65
	80	00	51	40
	79	00	00	49
	78	00	07	26
	40/1	00	02	06
	40/2B	00	13	11
	40/2A	00	02	05
	40/3	00	09	73
	44/4I	00	00	81
	44/4J	00	00	91
	40/4	00	00	93
	Road in Survey No.41	00	01	51
	44/5B	00	14	75
	44/10	00	00	10
	44/9	00	06	05
	44/8	00	18	11
	43/2	00	09	09
	Road in Survey No.43/1	00	07	60
	54/3	00	00	96
	54/2	00	12	52
	54/1	00	14	15
	47	00	14	37
	54/5	00	04	76
	54/4A	00	06	96
	54/4B	00	11	55
	53/1A	00	02	62
	52/4C2	00	04	57
	52/7D	00	09	81
	52/7C	00	06	74
	52/10H	00	00	16
	52/10G	00	03	28
	52/7B	00	00	40

1	2	3	4	5
5) Takarai (Contd)	52/7A	00	00	15
	52/10A	00	01	59
	52/10I	00	00	85
	52/10F	00	01	04
	52/10E	00	01	63
	52/10B	00	01	15
	52/10D	00	02	36
	52/10C	00	12	63
	52/9	00	04	74
	52/13	00	05	37
	52/12B	00	08	20
	19/4	00	04	81
	19/2	00	02	58
	19/3	00	15	85
	20	00	26	46
	22/1	00	03	85
	22/2A	00	23	73
	22/3E	00	00	61
	Road in Survey No.22/2B	00	01	85
	22/2C	00	00	35
	22/3C	00	19	96
	22/4	00	08	50
	23	00	12	41
	24/2	00	23	71
	24/3	00	28	35
	24/1	00	05	66
6) Kallanattam	146/1A	00	17	85
	146/1B	00	04	47
	147/1A	00	32	18
	147/1B	00	08	40
	133/1	00	03	89
	133/2	00	45	54
	133/3	00	04	56
	132/3D	00	17	80
	132/3A	00	01	90
	132/3B	00	01	32
	132/3C	00	00	27
	132/2C	00	02	32
	132/2B	00	12	86
	132/2A	00	01	77
	132/1	00	06	07

1	2	3	4	5
6) Kallanattam (Contd)	134/1	00	07	40
	134/2	00	03	05
	136/1	00	01	44
	126	00	02	43
	137	00	02	27
	125/1	00	09	62
	125/2	00	00	10
	122/2	00	14	67
	122/3	00	03	26
	122/1	00	26	58
	121/6B	00	11	09
	121/6A	00	09	17
	121/8	00	02	54
	121/5	00	11	20
	121/4C	00	08	65
	121/4A	00	00	97
	121/4B	00	01	52
	121/3A	00	05	32
	121/3B	00	07	55
	119	00	06	74
	113/3	00	12	02
	113/4	00	07	64
	115/1A3	00	24	77
	115/1B	00	00	10
	115/1A1	00	17	18
	102/4D	00	13	16
	Road in Survey No.102/4A	00	02	65
	102/2	00	00	10
	102/3	00	23	16
	49/7	00	00	18
	49/6	00	05	77
	49/5	00	10	67
	49/4B	00	00	38
	49/15	00	05	59
	49/14B	00	05	56
	49/14A	00	03	39
	49/3	00	11	39
	49/12	00	11	07
	50/14A	00	01	81
	50/14B	00	02	32
	50/13B2A	00	03	20

1	2	3	4	5
6) Kallanattam (Contd)	50/13B1	00	00	89
	50/8B	00	04	56
	50/9	00	03	64
	50/10	00	04	59
	50/11	00	01	49
	51/21	00	00	39
	51/22	00	11	01
	50/12	00	00	10
	51/2A	00	02	28
	Nala in Survey No.64	00	08	69
	65/4B	00	31	45
	65/5	00	08	62
	65/3	00	00	12
	66/2	00	17	38
	66/3	00	14	59
	75/5	00	21	41
	75/4	00	00	57
	75/6	00	35	75
	74/1	00	17	08

Taluk:Sankarapuram		District:Villupuram		State:Tamil Nadu	
1) Cholambattu	79	00	03	30	
	80	00	17	21	
2) Tirukkanangur	40/1	00	00	25	
	40/2	00	04	46	
	40/3	00	50	61	
	40/4B	00	20	91	
	40/4A	00	04	18	
	42/3C	00	02	04	
	42/3B	00	01	12	
	40/5	00	01	79	
	43	00	04	94	
	52/5C	00	15	23	
	52/5B	00	00	22	
	52/6	00	20	33	
	52/4	00	01	15	
	51/4	00	06	49	
	51/1C	00	14	58	
	51/1B	00	03	73	
	51/3	00	00	61	
	51/2	00	25	48	
	50/3C	00	00	77	
	50/3D	00	04	80	

1	2	3	4	5
2) Tirukkanangur (Contd)	57/9A	00	06	47
	57/9B	00	00	50
	57/8	00	11	49
	57/7C	00	01	35
	57/7D	00	05	89
	57/7B2	00	17	68
	57/7B1	00	01	01
	Road in Survey No.55	00	03	98
	178/1	00	03	25
	177/3	00	32	70
	177/4	00	07	53
	177/7	00	12	84
	177/8	00	09	11
	188/3	00	07	68
	188/4	00	03	95
	188/5	00	01	10
	188/2D	00	13	55
	188/2C	00	03	01
	188/8	00	23	07
	188/6	00	00	78
	187/4A	00	00	10
	187/3A	00	06	65
	187/3B	00	00	56
	187/1B	00	12	91
	187/1A	00	01	13
	187/2A	00	08	82
	187/2B	00	03	25
	190/9	00	30	56
	190/6C	00	01	12
	186/1	00	01	77
	186/3	00	00	51
	186/2	00	01	18
	191/1	00	28	18
	191/2	00	21	17
	191/3	00	27	98
	192/3B	00	01	19
	192/3A	00	24	25
3) Pombarappattu	58/2A	00	06	10
	Road in Survey No.58	00	14	35
	59/2	00	02	57
	60/4	00	51	35

1			2	3	4	5
3) Pombalappattu (Contd.)						
00	00	00	67/1	00	01	61
00	00	00	60/3	00	02	11
00	00	00	61/7	00	23	61
00	00	00	61/1	00	12	95
00	00	00	66/5	00	00	10
00	00	00	66/1	00	29	60
00	00	00	66/2	00	17	10
00	00	00	65/8	00	19	79
00	00	00	65/7	00	11	83
00	00	00	65/5	00	10	50
00	00	00	69/1	00	11	43
00	00	00	69/4	00	00	24
00	00	00	70/2B	00	10	88
00	00	00	72/5	00	06	71
00	00	00	72/3	00	24	01
00	00	00	72/1	00	24	22
00	00	00	72/2	00	08	44
00	00	00	71/6	00	16	69
00	00	00	73/6	00	15	69
00	00	00	73/7	00	00	23
00	00	00	73/1	00	05	76
00	00	00	73/9	00	02	02
00	00	00	73/8	00	02	73
00	00	00	73/2	00	14	87
			River in Survey No. 90	00	08	27
00	00	00	91/2	00	04	48
00	00	00	91/1	00	07	57
00	00	00	91/3	00	01	01
00	00	00	91/4A	00	00	39
00	00	00	91/4B	00	00	37
4) Sembadakurichchi			Road in Survey No. 1/1	00	05	95
00	00	00	1/2A3	00	32	78
00	00	00	1/5	00	09	86
00	00	00	1/4	00	16	96
00	00	00	1/3	00	00	18
00	00	00	1/9A	00	00	75
00	00	00	1/6	00	04	19
00	00	00	1/7	00	06	49
00	00	00	1/8	00	08	66
00	00	00	8/4	00	00	77
00	00	00	8/3	00	04	89

1	2	3	4	5
4) Sembadakurichchi (Contd)	8/2	00	05	60
	8/1	00	03	74
	8/7A	00	04	65
	8/6A	00	03	21
	8/6B	00	03	93
	8/6C	00	03	19
	7/3	00	02	08
	10/1	00	04	08
	10/2	00	02	68
	7/5	00	01	86
	7/4A	00	02	56
	7/4B	00	04	01
	7/8	00	06	02
	7/12	00	02	84
	7/11	00	09	01
	7/10A	00	00	48
	7/10B	00	01	46
	7/10C	00	03	13
	15/8	00	03	10
	15/7	00	05	64
	15/9	00	00	84
	15/17	00	07	97
	14/6	00	03	97
	14/1	00	02	70
	14/2	00	03	43
	16/6	00	00	10
	14/10	00	00	78
	14/3	00	02	00
	14/4	00	02	34
	14/5	00	01	95
	14/12B	00	00	30
	14/12A	00	03	39
	16/9	00	01	59
	16/11	00	07	36
	Road in Survey No.23	00	01	88
	24/1	00	05	35
	25/3	00	02	03
	25/4	00	04	34
	25/6	00	05	25
	25/10	00	01	96
	25/9	00	04	06

1	2	3	4	5
4) Sembadakurichchi (Contd)	25/12	00	05	83
	25/11	00	01	31
	25/14	00	00	57
	25/13	00	06	15
	25/17	00	01	37
	25/16	00	03	16
	25/15	00	01	69
	25/19	00	00	20
	25/20	00	00	10
	25/18	00	05	63
	26/17	00	00	10
	52/2A	00	02	26
	52/1	00	04	72
	52/5	00	00	91
	52/4	00	05	28
	52/9	00	00	28
	52/8	00	08	57
	52/7B	00	00	10
	52/13	00	00	87
	52/14	00	00	16
	52/12	00	06	64
	52/11	00	07	25
	52/10B	00	00	55
	52/10C	00	01	49
	51/1	00	26	01
	48/6	00	02	19
	48/11	00	07	17
	48/10	00	00	30
	48/13	00	02	03
	48/14A	00	01	54
	48/15A	00	01	04
	48/15B	00	00	86
	48/14B	00	01	43
	48/16	00	11	06
	48/20	00	01	26
	48/19	00	10	71
	60/12C2	00	17	47
	61/5A	00	02	93
	61/4	00	07	58
	61/3	00	12	16
	61/2	00	10	42

1	2	3	4	5
4) Sembadakurichchi (Contd)	61/1	00	05	41
	67/14	00	00	44
	62	00	08	60
	66/5	00	04	14
	66/6	00	06	00
	66/10	00	00	11
	66/11	00	00	84
	Nala in Survey No.63	00	18	66

[F. No. L-14014/84/2010-GP]
SNEH P. MADAN, Under Secy.

नई दिल्ली, 12 नवम्बर, 2010

का. आ. 2882:— भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि तमिलनाडु में तिरुतनी के पास विजयवाड़ा-नैल्लोर-चैन्नई पाइपलाइन के टर्मिनल प्वाइंट से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैमर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा चैन्नई-ट्यूटीकोरिन पाइपलाइन विछाई जानी चाहिए;

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाखण्ड अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधाग (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधाग (1) के अधीन जागी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाई जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री वी. वेंकटसुब्बु, सक्षम प्राधिकारी, रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, न. 89, डॉ. गधाकृष्णन सलाई, छठवां मंजिल, मैलापुर, चैन्नई - 600004, तमिलनाडु राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तालुक : शंकरगपुरम	जिला : विल्लुपुत्रम	राज्य : तमिलनाडु
गौव का नाम	सर्वे सं/ सब डिविजन सं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल
		हेक्टेयर एयर सि एयर
1	2	3 4 5
1) पेरियाकोल्लियुर	9/6ए	00 07 40
	9/6बी	00 22 28
	10/1सी	00 06 73
	10/1डी	00 03 92
	10/1ई	00 04 93
	10/2	00 03 78
	9/1	00 23 14
	10/4	00 16 37
	11/1सी	00 31 10
	11/1बी	00 00 74
	11/1डी	00 13 54
	11/12ए1	00 04 51
	11/14बी	00 06 32
	22	00 04 01
	23/1बी	00 06 40
	23/5	00 03 71
	23/4	00 03 19
	23/3	00 00 95
	23/6	00 08 98
	23/9	00 03 66
	23/10	00 03 91
	23/8	00 10 89
	24/5	00 00 10
	24/4	00 06 04
	24/3	00 03 01
	21	00 07 55
	20	00 37 79
	19/2	00 21 16
	19/1	00 01 25
	62/1बी	00 00 30
	63/1	00 06 30
	18	00 00 39
	63/2बी	00 16 21
	63/2ए	00 26 57
	63/3ए	00 08 75
	63/3बी	00 20 10
	सर्वे न. 63/5 में नाला	00 22 20

1	2	3	4	5
1) पेरियाकोल्लियुर (निरंतर)	63/4	00	06	23
	65/11ए	00	02	76
	65/12	00	20	28
	65/11वी	00	00	10
	65/10	00	21	55
	65/9	00	00	10
	66/8वी	00	25	83
	66/8सी	00	15	59
	66/10	00	05	27
	66/11	00	06	60
	66/9	00	05	36
	सर्वे न. 83 में नाला	00	03	29
	84/2	00	06	03
	84/1ए	00	04	77
	84/3ए	00	05	86
	84/1वी	00	07	24
	84/3वी	00	01	57
	84/9सी	00	10	83
	84/9वी	00	21	54
	सर्वे न. 86/1 में रास्ता	00	08	27
	86/6	00	02	57
	86/3ए	00	06	96
	86/2	00	23	87
	88/4	00	07	95
	88/6	00	17	18
	88/5	00	06	78
	89/2	00	14	16
	सर्वे न. 89/1 में नाला	00	04	90
	93/5वी	00	03	03
	93/6	00	30	53
	91/2	00	36	34
	91/1	00	02	88
	91/3ए	00	04	77
	91/3वी1	00	11	83
	91/3वी2	00	30	01
	102/3सी	00	17	00
	102/4वी	00	13	32
	102/8	00	14	72
	102/11	00	06	72
	102/10	00	22	32
	103/6ए	00	30	50

1	2	3	4	5
1) पेरियाकोल्लियुर (निरंतर)	103/6वी	00	03	70
	103/6सी	00	45	50
	111/3	00	01	15
	111/2	00	10	15
	111/5वी	00	18	95
	111/5ए	00	19	36
	111/1वी	00	00	15
	129/1	00	24	07
	111/6ए6	00	06	28
	111/6वी6	00	07	93
	111/6वी7	00	11	89
	130/1	00	00	29
	131/1एफ	00	24	82
	131/1ई	00	13	78
	130/2	00	27	39
	145/2	00	17	99
	145/3ए	00	03	61
	145/3वी	00	20	08
	145/5	00	06	43
	145/4	00	15	97
	150/1ए	00	07	92
	150/1जे	00	05	48
	150/1के	00	05	28
	150/1एल	00	06	31
	150/2वी	00	22	17
	149/7	00	15	63
	149/8ए	00	31	69
	149/8वी	00	06	60
	147/1ए	00	00	64
	147/1वी	00	02	35
	147/3	00	04	45
	147/4	00	31	02
	147/2एफ	00	00	53
2) अरियालुर	76/1वी1	00	00	71
	76/1ए	00	46	68
	76/2	00	02	58
	76/5	00	03	28
	76/3	00	00	29
	78/3वी	00	04	43
	78/3ए	00	14	47
	78/2वी	00	24	72

1	2	3	4	5
(2) अरियालुर (निरंतर)	78/2ए	00	00	58
02 25 00	79/4	00	27	98
01 10 00	79/3	00	09	82
01 01 00	79/2	00	06	09
00 01 00	80/7	00	00	39
01 01 00	80/4	00	03	85
01 00 00	80/1	00	07	84
10 45 00	80/2	00	24	76
00 00 00	80/3	00	30	21
00 10 00	81/2	00	01	39
05 01 00	82	00	08	17
01 00 00	83/2	00	19	54
00 45 00	83/3	00	09	14
01 01 00	83/1	00	21	49
00 15 00	83/8	00	05	87
3) वरघुर	61/1आर3	00	02	55
00 00 00	61/1आर2	00	01	23
00 05 00	61/1आर4	00	04	52
00 00 00	61/1एस1	00	00	10
10 31 00	61/1एस2	00	02	86
10 10 00	61/1टी1	00	01	22
00 00 00	61/1टी2	00	07	93
00 00 00	61/1य1	00	01	67
10 00 00	61/1य3	00	04	79
10 05 00	61/2ए	00	04	57
00 01 00	61/2वी	00	04	71
00 10 00	61/2सी	00	02	28
00 00 00	61/2डी	00	01	99
00 00 00	61/2ई	00	04	17
00 50 00	61/2एफ	00	04	69
00 40 00	61/1य5	00	01	43
00 10 00	61/1एन	00	06	81
00 00 00	61/1ओ	00	02	04
10 00 00	60	00	09	06
00 00 00	42/4	00	05	32
00 50 00	42/3वी	00	05	67
00 10 00	42/5	00	03	21
00 00 00	42/6	00	03	24
4) टिमनंदल	3/2	00	26	05
00 00 00	3/3	00	28	96
00 00 00	सर्वे न. 44 में जाला	00	59	07

1	2	3	4	5
4) टिम्पनंदल (निरंतर)	30/4	00	00	76
	30/5	00	06	94
	30/6	00	05	07
	30/7	00	01	40
	30/11	00	00	16
	30/12	00	02	47
	30/13	00	03	25
	30/14	00	03	34
	30/15	00	00	61
	31	00	38	32
	28/4वी	00	01	08
	28/5वी	00	03	51
	28/6वी	00	02	53
	28/8	00	07	35
	28/11ए	00	02	77
	28/11वी	00	04	65
	28/12वी	00	05	85
	35/5	00	01	18
	28/14वी	00	04	65
	35/6	00	02	02
	27/15	00	02	96
	27/4	00	08	40
	27/5	00	00	27
	27/6	00	13	68
	27/14	00	11	66
	36/2	00	01	49
	26	00	07	20
	37/1	00	12	30
	37/2	00	09	09
	39	00	12	74
5) किडंगुडैयाम्बटु	12/6	00	02	77
	12/1	00	14	26
	12/2	00	11	74
	12/3	00	05	42
	12/4	00	05	58
	15/2	00	02	11
	15/1	00	06	67
	15/3	00	06	16
	15/4	00	06	57
	15/5	00	05	63
	16/1ए	00	17	96

1	2	3	4	5
5) किङ्गडियाम्बटु (निरंतर)	11/1	00	85	04
	22	00	06	46
	19/1ए	00	01	27
	21/2वी	00	04	59
	21/2सी	00	04	48
	21/2डी	00	02	09
	21/2ई	00	02	42
	21/2जी	00	02	27
	21/2एच	00	07	51
	21/2के	00	02	50
	21/2एल	00	04	66
	21/2जे	00	02	94
	21/3ई	00	06	38
	21/4	00	05	78
	21/5	00	03	46
	21/6	00	03	44
	21/7	00	03	75
	21/9	00	02	65
	21/8वी	00	01	67
	21/10वी	00	04	17
	21/12	00	05	10
	21/11ए	00	04	44
	21/11सी	00	03	50
	21/11वी	00	03	24
	38/3	00	02	07
	38/2	00	18	51
	38/1ए	00	00	32
	38/1वी	00	00	99
	38/5	00	06	44
	38/6	00	05	78
	38/7	00	04	90
	38/8	00	00	42
	37/10	00	11	70
	37/12	00	05	81
	37/14	00	01	59
	37/15	00	02	21
	37/13	00	00	46
	44/1	00	07	35
	44/2	00	07	19
	44/3	00	07	63
	44/4वी	00	05	90

1	2	3	4	5
5) किडगुडैयाम्बटु (निरंतर)	44/4ए	00	02	28
	43/1वी	00	01	83
	43/2ए	00	02	65
	43/2वी	00	02	07
	43/3	00	02	51
	43/7वी	00	00	59
	43/7ए	00	01	97
	43/7सी	00	10	69
	43/6ए	00	00	19
	43/6वी	00	01	50
	43/6सी	00	03	96
	43/10ए	00	05	79
	43/6डी	00	06	39
	49	00	00	71
6) रामाराजापुरम	84/1	00	00	59
	सर्वे न. 85/2 में नाला	00	04	72
	85/1वी	00	29	95
	85/1ए	00	00	85
	85/1डी	00	00	11
	86/4	00	00	10
	86/10	00	10	86
	86/5	00	00	25
	86/6	00	17	72
	86/2सी	00	06	42
	सर्वे न. 87 में रास्ता	00	02	91
	98/5	00	04	15
	89/1ए	00	04	36
	98/6	00	10	65
	98/4वी2	00	02	19
	89/3ए	00	00	48
	98/2	00	17	49
	98/8	00	00	54
	97/6ए	00	05	38
	97/6वी	00	00	89
	97/5	00	14	25
	97/3	00	00	70
	97/7ए	00	05	19
	97/4ए	00	12	05
	97/2ए	00	02	20
	सर्वे न. 97/1वी में रास्ता	00	01	70
	सर्वे न. 96 में नाला	00	02	80

1	2	3	4	5
6) रामाराजापुरम (निरंतर)	93/9	00	00	10
	93/3	00	18	24
	93/2	00	01	88
	93/4	00	26	33
	93/7	00	00	31
	93/1	00	15	35
	94	00	37	88
7) मंजापुतुरु	सर्वे न. 1/1 में नाला	00	12	52
	2/14	00	02	73
	2/21	00	01	82
	2/17	00	16	24
	2/15ए	00	02	21
	2/18	00	01	16
	2/16वी	00	05	44
	2/16ए	00	02	57
	2/15वी	00	00	19
	2/20	00	21	78
	3	00	03	11
	4/3	00	00	51
	6/1	00	15	36
	6/2सी	00	03	06
	6/2वी	00	17	13
	6/4वी	00	03	59
	6/4ए	00	07	21
	6/5	00	05	95
	5/3वी2	00	01	27
	5/4जी	00	01	61
	5/4एफ	00	00	83
	5/6	00	00	94
	5/4जे	00	05	01
	5/4आई	00	04	99
	5/4एच	00	01	87
	5/4ई	00	00	10
	5/5	00	23	37
	7	00	02	40
	9/6	00	15	11
	9/7	00	17	28
	9/3ए	00	00	18
	9/3वी	00	03	11
	9/8	00	06	32
	9/3सी	00	03	29

1	2	3	4	5
7) मंजापुतुरू (निरंतर)	9/9	00	00	10
	9/4ए	00	08	64
	9/4वी	00	03	98
	9/4मो	00	03	79
	9/5	00	11	13
	10/2	00	00	26
	10/1	00	29	59
	10/4	00	06	72
	10/5	00	01	02
	11/3	00	01	22
	11/1ए	00	03	03
	11/1वी	00	02	77
	11/1सी	00	01	17
	11/2	00	01	60
	83	00	13	83
	134/10	00	06	46
	134/9	00	00	24
	134/7	00	06	17
	134/11वी	00	17	44
	134/12वी	00	00	74
	134/11ए	00	01	78
	134/12ए	00	16	89
	135/7ए	00	03	02
	135/7वी	00	06	32
	135/7सी	00	03	13
	135/8	00	00	67
	135/6	00	13	26
	135/4	00	00	10
	135/5ए	00	05	46
	135/5वी	00	11	68
	136/1	00	16	15
	136/2	00	14	29
	137/1	00	05	82
	137/4	00	26	55
	137/3	00	03	70
	137/8	00	12	18
	137/5ए	00	00	17
	137/5वी	00	04	71
	137/6	00	17	67
	137/7	00	00	10
	138/1	00	01	20

1	2	3	4	5
7) मंजापुतुरु (निरंतर)	139/1	00	02	77
	138/4	00	03	40
	139/2वी	00	14	32
	139/3	00	23	87
	139/4	00	26	00
	139/5	00	20	94
	140	00	32	96
	141	00	11	84
	142/2ए	00	00	31
	142/2वी	00	20	63
	142/2सी	00	09	78
	142/6एफ	00	02	29
	142/5	00	00	10
8) मुरारबडु	36/1ए	00	16	99
	36/3ए	00	01	86
	36/3वी	00	01	79
	36/3सी	00	01	96
	36/2	00	10	28
	36/3डी	00	05	72
	36/3ई	00	00	22
	36/4ए2	00	05	84
	36/4वी	00	27	03
	36/4सी	00	21	02
	सर्वे न. 36/1वी में रास्ता	00	03	28
	39/3वी	00	02	55
	39/3ए2	00	27	41
	39/3ए1	00	01	68
	39/5	00	21	15
	39/6	00	14	75
	41/8	00	04	14
	41/4ए	00	02	46
	41/9	00	03	83
	41/10ए	00	01	62
	41/4वी	00	05	27
	41/10वी	00	05	44
	41/11ए	00	04	17
	41/11वी	00	02	61
	41/12	00	06	81
	41/7	00	06	62
	44/10	00	09	48
	44/11	00	08	69

1	2	3	4	5
8) मुरारबडु (निरंतर)	44/12	00	09	87
	44/13वी	00	08	71
	44/15ए	00	12	25
	44/15वी	00	05	92
	44/15सी	00	05	77
	44/17	00	02	50
	44/8वी	00	02	93
	46/5	00	07	13
	46/4	00	04	15
	सर्वे न. 46/7 में रास्ता	00	03	26
	47/20	00	04	36
	46/17वी	00	11	17
	47/6	00	02	59
	46/18	00	33	32
	47/7	00	01	41
	47/13ए	00	00	37
	46/20	00	18	35
	47/13वी	00	00	65
	56/6	00	27	93
	55/2	00	05	61
	55/4	00	12	14
	55/6ए	00	00	10
	55/5ए	00	07	60
	55/5वी	00	09	51
	55/7	00	11	22
	55/8वी	00	10	19
	62	00	02	76
	67/5वी	00	06	27
	67/3	00	01	40
	67/4	00	00	47
	67/7सी	00	01	43
	67/8सी	00	01	11
	67/10वी	00	01	65
	67/13ए	00	01	13
	72/1	00	08	92
	72/2	00	00	55
	67/17	00	00	10
	69/1	00	04	44
	69/7	00	05	47
	69/9	00	06	42
	69/2	00	03	00

1	2	3	4	5
8) मुरारबडु (निरंतर)	69/8	00	05	36
	69/6	00	01	81
	69/5सी	00	10	39
	69/5डी	00	12	85
	70/1वी	00	18	92
	90	00	07	83
	92/3	00	12	40
	92/2	00	07	53

[फा सं. एल.-14014/84/2010-जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 12th November, 2010

S. O. 2882.— Whereas it appears to Government of India that it is necessary in public interest that for ~~the~~ transportation of Natural Gas from terminal point of Vijayawada – Nellore – Chennai pipeline near Tiruttani in Tamilnadu to consumers in various parts of the country, Chennai - Tuticorin pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of this notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri V.Venkatasubbu, Competent Authority, Relogistics Infrastructure Limited, No. 89, Dr. RadhaKrishnan Salai, 6th Floor, Mylapore, Chennai - 600004, Tamil Nadu State.

Schedule

Taluk:Sankarapuram		District:Villupuram		State:Tamil Nadu	
Village	Survey No./Sub-Division No.	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Periyakolliyur	9/6A	00	07	40	
	9/6B	00	22	28	
	10/1C	00	06	73	
	10/1D	00	03	92	
	10/1E	00	04	93	
	10/2	00	03	78	
	9/1	00	23	14	
	10/4	00	16	37	
	11/1C	00	31	10	
	11/1B	00	00	74	
	11/1D	00	13	54	
	11/12A1	00	04	51	
	11/14B	00	06	32	
	22	00	04	01	
	23/1B	00	06	40	
	23/5	00	03	71	
	23/4	00	03	19	
	23/3	00	00	95	
	23/6	00	08	98	
	23/9	00	03	66	
	23/10	00	03	91	
	23/8	00	10	89	
	24/5	00	00	10	
	24/4	00	06	04	
	24/3	00	03	01	
	21	00	07	55	
	20	00	37	79	
	19/2	00	21	16	
	19/1	00	01	25	
	62/1B	00	00	30	
	63/1	00	06	30	
	18	00	00	39	
	63/2B	00	16	21	
	63/2A	00	26	57	
	63/3A	00	08	75	
	63/3B	00	20	10	
	Nala in Survey No.63/5	00	22	20	

1	2	3	4	5
1) Periyakolliyur (Contd)	63/4	00	06	23
	65/11A	00	02	76
	65/12	00	20	28
	65/11B	00	00	10
	65/10	00	21	55
	65/9	00	00	10
	66/8B	00	25	83
	66/8C	00	15	59
	66/10	00	05	27
	66/11	00	06	60
	66/9	00	05	36
	Nala in Survey No.83	00	03	29
	84/2	00	06	03
	84/1A	00	04	77
	84/3A	00	05	86
	84/1B	00	07	24
	84/3B	00	01	57
	84/9C	00	10	83
	84/9B	00	21	54
	Road in Survey No.86/1	00	08	27
	86/6	00	02	57
	86/3A	00	06	96
	86/2	00	23	87
	88/4	00	07	95
	88/6	00	17	18
	88/5	00	06	78
	89/2	00	14	16
	Nala in Survey No.89/1	00	04	90
	93/5B	00	03	03
	93/6	00	30	53
	91/2	00	36	34
	91/1	00	02	88
	91/3A	00	04	77
	91/3B1	00	11	83
	91/3B2	00	30	01
	102/3C	00	17	00
	102/4B	00	13	32
	102/8	00	14	72
	102/11	00	06	72
	102/10	00	22	32
	103/6A	00	30	50

1	2	3	4	5
1) Periyakolliyur (Contd)	103/6B	00	03	70
	103/6C	00	45	50
	111/3	00	01	15
	111/2	00	10	15
	111/5B	00	18	95
	111/5A	00	19	36
	111/1B	00	00	15
	129/1	00	24	07
	111/6A6	00	06	28
	111/6B6	00	07	93
	111/6B7	00	11	89
	130/1	00	00	29
	131/1F	00	24	82
	131/1E	00	13	78
	130/2	00	27	39
	145/2	00	17	99
	145/3A	00	03	61
	145/3B	00	20	08
	145/5	00	06	43
	145/4	00	15	97
	150/1A	00	07	92
	150/1J	00	05	48
	150/1K	00	05	28
	150/1L	00	06	31
	150/2B	00	22	17
	149/7	00	15	63
	149/8A	00	31	69
	149/8B	00	06	60
	147/1A	00	00	64
	147/1B	00	02	35
	147/3	00	04	45
	147/4	00	31	02
	147/2F	00	00	53
2) Ariyalur	76/1B1	00	00	71
	76/1A	00	46	68
	76/2	00	02	58
	76/5	00	03	28
	76/3	00	00	29
	78/3B	00	04	43
	78/3A	00	14	47
	78/2B	00	24	72

1	2	3	4	5
2) Ariyalur (Contd)	78/2A	00	00	58
	79/4	00	27	98
	79/3	00	09	82
	79/2	00	06	09
	80/7	00	00	39
	80/4	00	03	85
	80/1	00	07	84
	80/2	00	24	76
	80/3	00	30	21
	81/2	00	01	39
	82	00	08	17
	83/2	00	19	54
	83/3	00	09	14
	83/1	00	21	49
	83/8	00	05	87
3) Varagur	61/1R3	00	02	55
	61/1R2	00	01	23
	61/1R4	00	04	52
	61/1S1	00	00	10
	61/1S2	00	02	86
	61/1T1	00	01	22
	61/1T2	00	07	93
	61/1U1	00	01	67
	61/1U3	00	04	79
	61/2A	00	04	57
	61/2B	00	04	71
	61/2C	00	02	28
	61/2D	00	01	99
	61/2E	00	04	17
	61/2F	00	04	69
	61/1U5	00	01	43
	61/1N	00	06	81
	61/1O	00	02	04
	60	00	09	06
	42/4	00	05	32
	42/3B	00	05	67
	42/5	00	03	21
	42/6	00	03	24
4) Timmanandal	3/2	00	26	05
	3/3	00	28	96
	Nala in Survey No.44	00	59	07

1	2	3	4	5
4) Timmanandal (Contd)	30/4	00	00	76
	30/5	00	06	94
	30/6	00	05	07
	30/7	00	01	40
	30/11	00	00	16
	30/12	00	02	47
	30/13	00	03	25
	30/14	00	03	34
	30/15	00	00	61
	31	00	38	32
	28/4B	00	01	08
	28/5B	00	03	51
	28/6B	00	02	53
	28/8	00	07	35
	28/11A	00	02	77
	28/11B	00	04	65
	28/12B	00	05	85
	35/5	00	01	18
	28/14B	00	04	65
	35/6	00	02	02
	27/15	00	02	96
	27/4	00	08	40
	27/5	00	00	27
	27/6	00	13	68
	27/14	00	11	66
	36/2	00	01	49
	26	00	07	20
	37/1	00	12	30
	37/2	00	09	09
	39	00	12	74
5) Kidangudaiyambattu	12/6	00	02	77
	12/1	00	14	26
	12/2	00	11	74
	12/3	00	05	42
	12/4	00	05	58
	15/2	00	02	11
	15/1	00	06	67
	15/3	00	06	16
	15/4	00	06	57
	15/5	00	05	63
	16/1A	00	17	96

1	2	3	4	5
5) Kidangudaiyambattu (Contd)	11/1	00	85	04
	22	00	06	46
	19/1A	00	01	27
	21/2B	00	04	59
	21/2C	00	04	48
	21/2D	00	02	09
	21/2E	00	02	42
	21/2G	00	02	27
	21/2H	00	07	51
	21/2K	00	02	50
	21/2L	00	04	66
	21/2J	00	02	94
	21/3E	00	06	38
	21/4	00	05	78
	21/5	00	03	46
	21/6	00	03	44
	21/7	00	03	75
	21/9	00	02	65
	21/8B	00	01	67
	21/10B	00	04	17
	21/12	00	05	10
	21/11A	00	04	44
	21/11C	00	03	50
	21/11B	00	03	24
	38/3	00	02	07
	38/2	00	18	51
	38/1A	00	00	32
	38/1B	00	00	99
	38/5	00	06	44
	38/6	00	05	78
	38/7	00	04	90
	38/8	00	00	42
	37/10	00	11	70
	37/12	00	05	81
	37/14	00	01	59
	37/15	00	02	21
	37/13	00	00	46
	44/1	00	07	35
	44/2	00	07	19
	44/3	00	07	63
	44/4B	00	05	90

1	2	3	4	5
5) Kidangudaiyambattu (Contd)	44/4A	00	02	28
	43/1B	00	01	83
	43/2A	00	02	65
	43/2B	00	02	07
	43/3	00	02	51
	43/7B	00	00	59
	43/7A	00	01	97
	43/7C	00	10	69
	43/6A	00	00	19
	43/6B	00	01	50
	43/6C	00	03	96
	43/10A	00	05	79
	43/6D	00	06	39
	49	00	00	71
6) Ramarajapuram	84/1	00	00	59
	Nala in Survey No.85/2	00	04	72
	85/1B	00	29	95
	85/1A	00	00	85
	85/1D	00	00	11
	86/4	00	00	10
	86/10	00	10	86
	86/5	00	00	25
	86/6	00	17	72
	86/2C	00	06	42
	Road in Survey No.87	00	02	91
	98/5	00	04	15
	89/1A	00	04	36
	98/6	00	10	65
	98/4B2	00	02	19
	89/3A	00	00	48
	98/2	00	17	49
	98/8	00	00	54
	97/6A	00	05	38
	97/6B	00	00	89
	97/5	00	14	25
	97/3	00	00	70
	97/7A	00	05	19
	97/4A	00	12	05
	97/2A	00	02	20
	Road in Survey No.97/1B	00	01	70
	Nala in Survey No.96	00	02	80

1	2	3	4	5
6) Ramarajapuram (Contd)	93/9	00	00	10
	93/3	00	18	24
	93/2	00	01	88
	93/4	00	26	33
	93/7	00	00	31
	93/1	00	15	35
	94	00	37	88
7) Manjaputhuru	Nala in Survey No.1/1	00	12	52
	2/14	00	02	73
	2/21	00	01	82
	2/17	00	16	24
	2/15A	00	02	21
	2/18	00	01	16
	2/16B	00	05	44
	2/16A	00	02	57
	2/15B	00	00	19
	2/20	00	21	78
	3	00	03	11
	4/3	00	00	51
	6/1	00	15	36
	6/2C	00	03	06
	6/2B	00	17	13
	6/4B	00	03	59
	6/4A	00	07	21
	6/5	00	05	95
	5/3B2	00	01	27
	5/4G	00	01	61
	5/4F	00	00	83
	5/6	00	00	94
	5/4J	00	05	01
	5/4I	00	04	99
	5/4H	00	01	87
	5/4E	00	00	10
	5/5	00	23	37
	7	00	02	40
	9/6	00	15	11
	9/7	00	17	28
	9/3A	00	00	18
	9/3B	00	03	11
	9/8	00	06	32
	9/3C	00	03	29

1	2	3	4	5
7) Manjaputhuru (Contd)	9/9	00	00	10
	9/4A	00	08	64
	9/4B	00	03	98
	9/4C	00	03	79
	9/5	00	11	13
	10/2	00	00	26
	10/1	00	29	59
	10/4	00	06	72
	10/5	00	01	02
	11/3	00	01	22
	11/1A	00	03	03
	11/1B	00	02	77
	11/1C	00	01	17
	11/2	00	01	60
	83	00	13	83
	134/10	00	06	46
	134/9	00	00	24
	134/7	00	06	17
	134/11B	00	17	44
	134/12B	00	00	74
	134/11A	00	01	78
	134/12A	00	16	89
	135/7A	00	03	02
	135/7B	00	06	32
	135/7C	00	03	13
	135/8	00	00	67
	135/6	00	13	26
	135/4	00	00	10
	135/5A	00	05	46
	135/5B	00	11	68
	136/1	00	16	15
	136/2	00	14	29
	137/1	00	05	82
	137/4	00	26	55
	137/3	00	03	70
	137/8	00	12	18
	137/5A	00	00	17
	137/5B	00	04	71
	137/6	00	17	67
	137/7	00	00	10
	138/1	00	01	20

1	2	3	4	5
7) Manjaputhuru (Contd)	139/1	00	02	77
	138/4	00	03	40
	139/2B	00	14	32
	139/3	00	23	87
	139/4	00	26	00
	139/5	00	20	94
	140	00	32	96
	141	00	11	84
	142/2A	00	00	31
	142/2B	00	20	63
	142/2C	00	09	78
	142/6F	00	02	29
	142/5	00	00	10
8) Murarbadu	36/1A	00	16	99
	36/3A	00	01	86
	36/3B	00	01	79
	36/3C	00	01	96
	36/2	00	10	28
	36/3D	00	05	72
	36/3E	00	00	22
	36/4A2	00	05	84
	36/4B	00	27	03
	36/4C	00	21	02
	Road in Survey No.36/1B	00	03	28
	39/3B	00	02	55
	39/3A2	00	27	41
	39/3A1	00	01	68
	39/5	00	21	15
	39/6	00	14	75
	41/8	00	04	14
	41/4A	00	02	46
	41/9	00	03	83
	41/10A	00	01	62
	41/4B	00	05	27
	41/10B	00	05	44
	41/11A	00	04	17
	41/11B	00	02	61
	41/12	00	06	81
	41/7	00	06	62
	44/10	00	09	48
	44/11	00	08	69

1	2	3	4	5
8) Murarbadu (Contd)	44/12	00	09	87
	44/13B	00	08	71
	44/15A	00	12	25
	44/15B	00	05	92
	44/15C	00	05	77
	44/17	00	02	50
	44/8B	00	02	93
	46/5	00	07	13
	46/4	00	04	15
	Road in Survey No.46/7	00	03	26
	47/20	00	04	36
	46/17B	00	11	17
	47/6	00	02	59
	46/18	00	33	32
	47/7	00	01	41
	47/13A	00	00	37
	46/20	00	18	35
	47/13B	00	00	65
	56/6	00	27	93
	55/2	00	05	61
	55/4	00	12	14
	55/6A	00	00	10
	55/5A	00	07	60
	55/5B	00	09	51
	55/7	00	11	22
	55/8A	00	10	19
	62	00	02	76
	67/5A	00	06	27
	67/3	00	01	40
	67/4	00	00	47
	67/7C	00	01	43
	67/8C	00	01	11
	67/10B	00	01	65
	67/13A	00	01	13
	72/1	00	08	92
	72/2	00	00	55
	67/17	00	00	10
	69/1	00	04	44
	69/7	00	05	47
	69/9	00	06	42
	69/2	00	03	00

1	2	3	4	5
8) Murarbadu (Contd)	69/8	00	05	36
	69/6	00	01	81
	69/5C	00	10	39
	69/5D	00	12	85
	70/1B	00	18	92
	90	00	07	83
	92/3	00	12	40
	92/2	00	07	53

[F. No. L-14014/84/2010-GP]
SNEH P. MADAN, Under Secy.

नई दिल्ली, 12 नवम्बर, 2010

का. आ. 2883.— भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मैसर्स ग्लोएंस इण्डस्ट्रीज लिमिटेड के आन्ध्र प्रदेश में पूर्वी तट पर काकीनाडा स्थित अपतटीय गैस प्रसंस्करण टर्मिनल से देश के विभिन्न हिस्सों में स्थित उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मैसर्स ग्लोजिमेटिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा विजयवाड़ा - नेल्लोर - चेन्नई पाइपलाइन विछाई जानी चाहिए :

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाए जाने का परताव है और जो इस अधिसूचना से उपावृद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए:

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है:

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवन्त है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उप-धारा (1) के अधीन जागी की गई अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध कर दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाए जाने के लिए उपयोग के अधिकार का अर्जन के संबंध में श्री एम.ए.गफफार, सक्षम प्राधिकारी, मैसर्स ग्लोजिमेटिक्स इन्फ्रास्ट्रक्चर लिमिटेड, नं. 59-1-18/3, मैसर्स ग्लेला कॉलेज के सामने की गेट में, बग रूट नं.5, रामचन्द्रा नगर, विजयवाड़ा-520008, कृष्णा जिला, आन्ध्रप्रदेश राज्य का लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

मंडल/ तेहमिल/ तालुक मुदीनेपल्लि	जिला : कृष्णा	राज्य : आन्ध्र प्रदेश		
गाँव का नाम	सर्वे सं. / सब डिविजन सं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि एयर
1	2	3	4	5
1) गुरजा	379/1	00	01	17
	379/2	00	07	41
	371	00	41	66
	368	00	09	24
	372	00	13	36
	367/2	00	18	80
	366	00	29	36
	365/3	00	02	74
	365/2	00	37	08
	364	00	07	70
	363	00	00	75
	362/1	00	52	75
	365/1	00	02	01
	359/1	00	10	88
	358	00	01	35
	206/2डी	00	01	63
	206/2ई	00	04	40
	206/2एफ	00	09	53
	206/2जी	00	10	45
	206/3	00	13	62
	206/4	00	04	30
	193	00	00	80
	207	00	04	13
	249/1	00	30	66
	251	00	27	26
	252/1	00	36	80
	252/2	00	05	13
	248/2	00	03	70
	247/2बी	00	71	04
	247/2ए	00	07	29
	245/1	00	06	47
	245/2	00	01	55
	244	00	11	70
	264	00	05	76
	263	00	00	10
	288/4	00	00	22
	288/3	00	08	39

1	2	3	4	5
1) गुरजा (निरंतर)	288/2	00	13	48
	288/1	00	32	18
	286/14	00	09	78
	286/13	00	00	18
	287	00	22	05
	285/1	00	11	81
	285/3	00	21	38
	285/2	00	12	19
	284/1	00	02	80
	284/3	00	18	93
	284/2	00	30	40

मंडल/ तेहसिल/ तालुक & पामारु	जिला & कृष्णा	राज्य & आन्ध्र प्रदेश		
1) पामारु	902	00	00	81
	903	00	07	21
	904/4वी	00	00	10
	904/4मी	00	03	94
	904/4ई	00	05	75
	904/5	00	13	96
	904/6मी	00	25	26
	906	00	00	98
	905	00	18	32
	907/1मी	00	20	06
	907/1डी	00	00	46
	907/1वी	00	03	04
	892	00	06	38
	891	00	06	73
	890/5ए	00	22	55
	890/5वी	00	15	50
	890/5डी	00	02	74
	890/5सी	00	03	06
	890/1वी	00	07	30
	890/4	00	05	98
	890/3	00	00	89
	886/1डी	00	00	58
	886/1मी	00	03	57
	886/1वी	00	19	76
	886/1ए	00	06	99
	886/2वी	00	00	29
	886/2ए	00	09	53
	884/1वी	00	26	67
	867/4	00	09	86
	867/5ए	00	04	31
	867/5वी	00	02	64

1	2	3	4	5
1) पामारु (निरंतर)	867/6	00	01	02
	876	00	09	31
	867/3	00	08	12
	867/2	00	17	48
	866	00	00	85
	859	00	12	48
	860/6	00	00	37
	870	00	30	30
	858/1	00	01	02
	858/3	00	04	81
	858/2ए	00	05	77
	858/2बी	00	21	84
	856/2सी	00	00	32
	856/2डी	00	15	38
	856/2ए	00	05	80
	855/3	00	23	77
	854/1सी	00	12	20
	854/1डी	00	10	97
	854/2	00	00	39
	845	00	32	82
	811	00	01	02
	844	00	04	28
	835/1	00	16	46
	835/2	00	20	88
	834/1	00	00	10
	834/3	00	00	89
	834/4	00	19	70
	834/5	00	05	74
	834/6	00	02	76
	826/1	00	01	53
	826/4सी	00	16	90
	834/7	00	00	59
	826/4बी	00	01	60
	836	00	12	53
	592	00	11	23
	570	00	46	68
	569/1ए1	00	18	08
	569/1ए2	00	01	92
	572/3	00	07	58
	573/1बी	00	16	11
	573/2बी	00	16	21
	573/3	00	13	72

1	2	3	4	5
1) पामारु (निरंतर)	558/2	00	00	31
	558/1	00	13	82
	558/3	00	03	58
	574/6	00	05	19
	558/4	00	00	10
	557/1वी	00	22	08
	557/2	00	07	12
	557/3	00	13	88
	556/1	00	28	93
	556/2	00	01	08
	408	00	13	62
	409/5	00	17	80
	409/4	00	10	06
	409/2	00	02	22
	409/1	00	00	10
	410/1ए	00	12	64
	410/1वी	00	01	06
	410/2	00	15	62
	410/3	00	00	87
	411/4	00	12	85
	411/3वी	00	06	92
	411/3ए	00	07	43
	411/2	00	14	53
	412	00	11	20
	429/1	00	00	43
	429	00	06	44
	430/4	00	34	79
	430/2	00	00	68
	428/1	00	02	62
	430/3	00	08	36
	432/3	00	09	06
	432/4वी	00	08	48
	433/1मी	00	09	28
	433/3	00	09	49
	439/1	00	39	46
	438	00	00	49
	439/2वी	00	13	55
	439/2ए	00	01	57
	444/1ए	00	00	10
	445/2	00	05	92
	445/1वी	00	09	01
	445/1ए	00	09	61

1	2	3	4	5
1) पामारू (निरंतर)	437/5	00	01	33
	437/6	00	06	34
	437/4	00	07	63
	437/3	00	05	10
	437/2	00	16	33
	436/4वी	00	05	89

मंडल/ तेहसिल/ तालुक ःमोव्या	जिला ःकृष्णा	राज्य ःआन्ध्र प्रदेश		
1) पेडसनगल्लु	4	00	04	90
	3	00	00	30
	6	01	06	60
	9	00	05	90
	12	00	77	30
	16	00	32	40
	15	00	15	90
	48	00	03	80
	53	00	42	40
	58	00	05	80
	54	00	17	30
	55	00	23	80
	57	00	05	90
	56	00	30	50
	64	00	13	80
	69	00	13	50
	67	00	59	10
	70	00	00	10
	71	00	03	20
	72	00	26	90
	73	00	78	80
	74	00	34	50
	75	00	04	40
	79	00	09	60
	80	00	03	20
	81	00	59	10
	83	00	05	80
	207	00	21	50
	206	00	45	00
	210	00	24	50
	211	00	17	20
	217	00	07	80
	222	00	12	40
	221	00	21	50
	223	00	04	10
	227	00	34	60

1	2	3	4	5
1) पेडसनगल्लु (निरंतर)	2 2 5	00	19	40
	2 2 6	00	24	60
	2 2 8	00	19	80
	2 3 0	00	15	80
	2 3 1	00	11	60
मंडल/ तेहसिल/ तालुक :पमिडीमुक्कला	जिला :कृष्णा	राज्य :आन्ध्र प्रदेश		
1) कृष्णा नदी	नदी दो गाँव के बीच में	05	34	90
	नदी और गाजुल्लंका गाँव सीमा के बीच में	00	75	00

[फा सं. एल.-14014/74/2010-जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 12th November, 2010

S. O. 2883.— Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from on-shore gas processing terminal at Kakinada on East coast of Andhra Pradesh of M/s Reliance Industries Limited to consumers in various parts of the country, Vijayawada-Nellore-Chennai pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri M.A. Gaffar, Competent Authority, Relogistics Infrastructure Limited, House No. 59-1-18/3, Opp Road to Maries Stella college, Bus route No. 5, Ramachandra Nagar, Vijayawada – 520 008, Krishna District, Andhra Pradesh State.

Schedule

Mandal/Tehsil/Taluk:Mudinepalli		District:Krishna		State:Andhra Pradesh	
Village	Survey No./Sub-Division No.	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Guraza	379/1	00	01	17	
	379/2	00	07	41	
	371	00	41	66	
	368	00	09	24	
	372	00	13	36	
	367/2	00	18	80	
	366	00	29	36	
	365/3	00	02	74	
	365/2	00	37	08	
	364	00	07	70	
	363	00	00	75	
	362/1	00	52	75	
	365/1	00	02	01	
	359/1	00	10	88	
	358	00	01	35	
	206/2D	00	01	63	
	206/2E	00	04	40	
	206/2F	00	09	53	
	206/2G	00	10	45	
	206/3	00	13	62	
	206/4	00	04	30	
	193	00	00	80	
	207	00	04	13	
	249/1	00	30	66	
	251	00	27	26	
	252/1	00	36	80	
	252/2	00	05	13	
	248/2	00	03	70	
	247/2B	00	71	04	
	247/2A	00	07	29	
	245/1	00	06	47	
	245/2	00	01	55	
	244	00	11	70	
	264	00	05	76	
	263	00	00	10	
	288/4	00	00	22	
	288/3	00	08	39	

1	2	3	4	5
1) Guraza (Contd)	288/2	00	13	48
	288/1	00	32	18
	286/14	00	09	78
	286/13	00	00	18
	287	00	22	05
	285/1	00	11	81
	285/3	00	21	38
	285/2	00	12	19
	284/1	00	02	80
	284/3	00	18	93
	284/2	00	30	40

Mandal/Tehsil/Taluk:Pamaru	District:Krishna	State:Andhra Pradesh		
1) Pamaru	902	00	00	81
	903	00	07	21
	904/4B	00	00	10
	904/4C	00	03	94
	904/4E	00	05	75
	904/5	00	13	96
	904/6C	00	25	26
	906	00	00	98
	905	00	18	32
	907/1C	00	20	06
	907/1D	00	00	46
	907/1B	00	03	04
	892	00	06	38
	891	00	06	73
	890/5A	00	22	55
	890/5B	00	15	50
	890/5D	00	02	74
	890/5C	00	03	06
	890/1B	00	07	30
	890/4	00	05	98
	890/3	00	00	89
	886/1D	00	00	58
	886/1C	00	03	57
	886/1B	00	19	76
	886/1A	00	06	99
	886/2B	00	00	29
	886/2A	00	09	53
	884/1B	00	26	67
	867/4	00	09	86
	867/5A	00	04	31
	867/5B	00	02	64

1	2	3	4	5
1) Pamaru (Contd)	867/6	00	01	02
	876	00	09	31
	867/3	00	08	12
	867/2	00	17	48
	866	00	00	85
	859	00	12	48
	860/6	00	00	37
	870	00	30	30
	858/1	00	01	02
	858/3	00	04	81
	858/2A	00	05	77
	858/2B	00	21	84
	856/2C	00	00	32
	856/2B	00	15	38
	856/2A	00	05	80
	855/3	00	23	77
	854/1C	00	12	20
	854/1D	00	10	97
	854/2	00	00	39
	845	00	32	82
	811	00	01	02
	844	00	04	28
	835/1	00	16	46
	835/2	00	20	88
	834/1	00	00	10
	834/3	00	00	89
	834/4	00	19	70
	834/5	00	05	74
	834/6	00	02	76
	826/1	00	01	53
	826/4C	00	16	90
	834/7	00	00	59
	826/4B	00	01	60
	836	00	12	53
	592	00	11	23
	570	00	46	68
	569/1A1	00	18	08
	569/1A2	00	01	92
	572/3	00	07	58
	573/1B	00	16	11
	573/2B	00	16	21
	573/3	00	13	72

1	2	3	4	5
1) Pamaru (Contd)	558/2	00	00	31
	558/1	00	13	82
	558/3	00	03	58
	574/6	00	05	19
	558/4	00	00	10
	557/1B	00	22	08
	557/2	00	07	12
	557/3	00	13	88
	556/1	00	28	93
	556/2	00	01	08
	408	00	13	62
	409/5	00	17	80
	409/4	00	10	06
	409/2	00	02	22
	409/1	00	00	10
	410/1A	00	12	64
	410/1B	00	01	06
	410/2	00	15	62
	410/3	00	00	87
	411/4	00	12	85
	411/3B	00	06	92
	411/3A	00	07	43
	411/2	00	14	53
	412	00	11	20
	429/1	00	00	43
	420	00	06	44
	430/4	00	34	79
	430/2	00	00	68
	428/1	00	02	62
	430/3	00	08	36
	432/3	00	09	06
	432/4B	00	08	48
	433/1C	00	09	28
	433/3	00	09	49
	439/1	00	39	46
	438	00	00	49
	439/2B	00	13	55
	439/2A	00	01	57
	444/1A	00	00	10
	445/2	00	05	92
	445/1B	00	09	01
	445/1A	00	09	61
	437/5	00	01	33
	437/6	00	06	34
	437/4	00	07	63
	437/3	00	05	10
	437/2	00	16	33
	436/4B	00	05	89

1	2	3	4	5
Mandal/Tehsil/Taluk:Movva	District:Krishna	State:Andhra Pradesh		
1) Pedasanagallu	4	00	04	90
	3	00	00	30
	6	01	06	60
	9	00	05	90
	12	00	77	30
	16	00	32	40
	15	00	15	90
	48	00	03	80
	53	00	42	40
	58	00	05	80
	54	00	17	30
	55	00	23	80
	57	00	05	90
	56	00	30	50
	64	00	13	80
	69	00	13	50
	67	00	59	10
	70	00	00	10
	71	00	03	20
	72	00	26	90
	73	00	78	80
	74	00	34	50
	75	00	04	40
	79	00	09	60
	80	00	03	20
	81	00	59	10
	83	00	05	80
	207	00	21	50
	206	00	45	00
	210	00	24	50
	211	00	17	20
	217	00	07	80
	222	00	12	40
	221	00	21	50
	223	00	04	10
	227	00	34	60
	225	00	19	40
	226	00	24	60
	228	00	19	80
	230	00	15	80
	231	00	11	60
Mandal/Tehsil/Taluk:Pamidimukkala	District:Krishna	State:Andhra Pradesh		
1) Krishna River	River between village boundaries	05	34	90
	Between River and Gazullanka Village	00	75	00

नई दिल्ली, 12 नवम्बर, 2010

का. आ. 2884.—भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मैसर्स रिलायंस इण्डस्ट्रीज लिमिटेड के आन्ध्र प्रदेश में पूर्वी तट पर काकीनाडा स्थित अपतटीय गैस प्रसंस्करण टर्मिनल से देश के विभिन्न हिस्सों में स्थित उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मैसर्स रिलोजियमटिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा विजयवाड़ा - नेल्लोर - चेन्नई पाइपलाइन विछाई जानी चाहिए :

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाए जाने का प्रस्ताव है और जो इस अधिसूचना से उपावद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है:

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उप-धारा (1) के अधीन जारी की गई अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाए जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री एम.ए.गफ्फार, सक्षम प्राधिकारी, मैसर्स रिलोजियमटिक्स इन्फ्रास्ट्रक्चर लिमिटेड, नं. 59-1-18/3, मैरिस स्टेला कॉलेज के सामने की गेंड में, वस रूट नं.5, रामचन्द्रा नगर, विजयवाड़ा-520008, कृष्णा जिला, आन्ध्रप्रदेश राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

मंडल/ तेहसिल/ तालुक/घोगला	जिला उपकाशम	राज्य : आन्ध्र प्रदेश		
गाँव का नाम	सर्वे सं. / सब डिविजन सं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि एयर
1	2	3	4	5
1) वाडा	107	00	19	97
	105/2	00	06	69
	105/1	00	00	30
	108/1	00	17	59
	108/2	00	07	57
	109	00	13	61
	110	00	15	16
	111	00	15	70
	112	00	12	93
	113	00	12	71
	114/1	00	08	49
	114/2	00	04	75
	114/3	00	07	51
	115/1	00	13	04
	115/2	00	07	11
	116/1	00	11	83
	116/2	00	08	75
	123	00	09	19
	124	00	08	84

1	2	3	4	5
1) वाडा (निरंतर)	125	00	09	52
	126	00	17	59
	147	00	18	97
	146	00	17	70
	151	00	18	94
	152	00	17	03
	154	00	18	75
	155	00	17	13
	162	00	36	76
	168/1	00	03	49
	197	00	17	19
	141/4	00	05	02
	141/2	00	08	17
	141/1	00	09	35
	140/3	00	14	96
	140/2	00	11	91
	140/1	00	10	92
	198/4	00	17	24
	198/2	00	04	61
	198/1	00	12	06
	198/3	00	01	30
	196	00	22	02
	195	00	13	90
	200	00	13	13
	206/2	00	25	74
	205	00	16	54
	204/4	00	07	27
	204/3	00	08	58
	204/2	00	08	20
	204/1	00	07	50
	203	00	33	87
	202	00	21	99
	201/2	00	06	01
	224/4	00	04	53
	224/3	00	00	33
	224/5	00	24	81
	247	00	16	76
	245/2	00	16	44
	245/1	00	18	38
	244/7	00	34	68
	244/6	00	11	36
	244/5वी	00	21	59
	244/4वी	00	04	72
	244/4ए	00	10	38
	244/3	00	29	38
	244/1	00	56	45

[फा सं. एल.-14014/74/2010-जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 12th November, 2010

S. O. 2884.—Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from on-shore gas processing terminal at Kakinada on East coast of Andhra Pradesh of M/s Reliance Industries Limited to consumers in various parts of the country, Vijayawada-Nellore-Chennai pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri M.A. Gaffar, Competent Authority, Relogistics Infrastructure Limited, House No. 59-1-18/3, Opp. Road to Maries Stella college, Bus route No. 5, Ramachandra Nagar, Vijayawada – 520 008, Krishna District, Andhra Pradesh State.

Schedule

Mandal/Tehsil/Taluk:Chirala		District:Prakasam		State:Andhra Pradesh		
Village		Survey No./Sub-Division No.		Area to be acquired for RoU		
				Hec	Are	C-Are
1		2		3	4	5
1) Vada		107		00	19	97
		105/2		00	06	69
		105/1		00	00	30
		108/1		00	17	59
		108/2		00	07	57
		109		00	13	61
		110		00	15	16
		111		00	15	70
		112		00	12	93
		113		00	12	71
		114/1		00	08	49
		114/2		00	04	75
		114/3		00	07	51
		115/1		00	13	04
		115/2		00	07	11
		116/1		00	11	83
		116/2		00	08	75
		123		00	09	19
		124		00	08	84
		125		00	09	52
		126		00	17	59
		147		00	18	97

1	2	3	4	5
1) Vada (Contd)	146	00	17	70
	151	00	18	94
	152	00	17	03
	154	00	18	75
	155	00	17	13
	162	00	36	76
	168/1	00	03	49
	197	00	17	19
	141/4	00	05	02
	141/2	00	08	17
	141/1	00	09	35
	140/3	00	14	96
	140/2	00	11	91
	140/1	00	10	92
	198/4	00	17	24
	198/2	00	04	61
	198/1	00	12	06
	198/3	00	01	30
	196	00	22	02
	195	00	13	90
	200	00	13	13
	206/2	00	25	74
	205	00	16	54
	204/4	00	07	27
	204/3	00	08	58
	204/2	00	08	20
	204/1	00	07	50
	203	00	33	87
	202	00	21	99
	201/2	00	06	01
	224/4	00	04	53
	224/3	00	00	33
	224/5	00	24	81
	247	00	16	76
	245/2	00	16	44
	245/1	00	18	38
	244/7	00	34	68
	244/6	00	11	36
	244/5B	00	21	59
	244/4B	00	04	72
	244/4A	00	10	38
	244/3	00	29	38
	244/1	00	56	45

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 22 अक्टूबर, 2010

का.आ. 2885.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स एबीएस मेरिन सर्विसिज प्रा.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, मुम्बई के पंचाट (संदर्भ संख्या 42/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-10-2010 को प्राप्त हुआ था।

[सं. एल-31011/2/2007-आई आर(बी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 22nd October, 2010

S.O. 2885.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.42/2007) of the Central Government Industrial Tribunal/Labour Court-1, Mumbai now as shown in the Annexure, in the Industrial Dispute between the employees in relation to the management of M/s. ABS Marine Services Pvt. Ltd. and their workman, which was received by the Central Government on 15-10-2010.

[No. L-31011/2/2007-IR (B-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI**

JUSTICE MANIK MOHAN SARKAR,

Presiding Officer-in charge

Reference No. CGIT-1/42 of 2007

Parties : Employers in relation to the management of M/s. ABS Marine Services Pvt. Ltd.

AND

Their Workman

APPEARANCES:

For the Management	:	Absent
For the workman	:	Absent
State	:	Maharashtra

Mumbai, dated the 28th day of September, 2010

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section 1 of Section 10 of the Industrial Disputes Act, 1947 (The Act for short) vide Government of India, Ministry

of Labour, New Delhi Order No. L-31011/2/2007-IR(B-II) dtd. 5-9-2007. The terms of reference given in the schedule are as follows:

“Whether the action of the management of M/s. ABS Marine Services Pvt. Ltd., Mumbai by terminating the services of Mr. Ramchandra Tatkare without conducting domestic enquiry w.e.f. 19-9-2005 is justified? If not, what relief the workman Shri Ramchandra Tatkare is entitled to?”

2. None is present on behalf of either of the parties. This date has been fixed for disposal of the present reference in view of the application filed earlier for such disposal on the basis of the Memorandum of Settlement.

3. Notice was issued to the workman concerned and the acknowledgement card has been received back after due service of the notice, even then, the workman has not appeared. It is presumed that the workman is not interested any more to proceed with the present reference in view of the Memorandum of Settlement and also in view of the application filed to that effect for final disposal of the present reference.

4. Since the workman concerned did not respond to the notice served upon him to represent at the time of passing order, I do not think that the present reference should be pursued any more and it may be disposed of in absence of the parties in view of the situation prevailing.

5. I have gone through the application filed on 27-1-2009 and it contains signature of the First Party and also of the signature of the workman concerned, the signature of Mr. Thankachan, as Advocate for the First Party. Since the signature of the workman concerned namely Mr. Ramachandra Tatkare has been identified by an Advocate with signature but the name of the said learned Advocate has not been written. However, since the said application bears the signature of the respective parties and also the learned Advocate representing them, I have got no hesitation to accept the said application for passing an order of disposal of the said reference.

6. In view of the application dtd. 27-1-2009, it appears that since the settlement, no Industrial Dispute is prevailing and so the present reference is finally disposed of for non-prosecution.

7. Award passed accordingly.

JUSTICE MANIK MOHAN SARKAR, Presiding Officer

नई दिल्ली, 22 अक्टूबर, 2010

का.आ. 2886.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 137/2000) को

प्रकाशित करती है, जो केन्द्रीय सरकार को 06-10-2010 को प्राप्त हुआ था।

[सं. एल-12012/258/99-आई आर(बी-11)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 22nd October, 2010

S.O. 2886.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.137/2000) of the Central Government Industrial Tribunal/Labour Court-I, Chandigarh now as shown in the Annexure, in the Industrial dispute between the employees in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on 6-10-2010.

[No. L-12012/258/99-IR (B-11)]

D. S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case I.D. No. 137/2000

Shri Devinder Pal Singh S/o Shri J. Singh, Nai Basti Near
ITI Chowk, Budhlada Distt. Mansa (Punjab)

...Applicant

Versus

Punjab National Bank, The General Manager, PNB, Regional
Office-I, Sector-17-B, Chandigarh

...Respondent

APPEARANCES:

For the Workman : Shri Yogesh Kumar Aneja

For the Management : Shri N.K. Zakhmi

AWARD

Passed on 27-9-2010

The Government of India vide Notification No. L-12012/258/99-IR(B-11), dated 31-01-2000 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal :—

“Whether the action of the management of Punjab National Bank in awarding the punishment of dismissal from services to Shri Devinder Pal Singh S/o Shri Joginder Singh is legal and just? If not, what relief the workman is entitled to and from which date?”

After receiving the reference, parties were informed. Parties appeared and filed their respective pleadings. The

parties were primarily heard on the issue of fairness of enquiry. The issue on fairness of enquiry was decided by this Tribunal vide order dated 10-08-2010. Vide order dated 10-08-2010 the enquiry was held to be fair, proper and in accordance with the rules of principle of natural justice. On decision making of the enquiry officer and on quantum of punishment both of the parties were afforded the opportunity for adducing evidence. The workman declined to adduce any evidence on perversity, if any, in decision making of the enquiry officer and of the disciplinary authority in awarding punishment. Accordingly, the evidence of the parties was closed. Parties were heard at length along with their learned counsels. File was reserved for the award.

Entire enquiry file which includes the enquiry proceedings, enquiry report and the order of the disciplinary authority and the appellate authority are on record. I have perused the entire materials on record. The main issue before this Tribunal is whether the enquiry officer has committed any error while holding the charge proved against the workman. The charge was relating to the stealing a draft book, preparing a draft of Rs. 75,000 and get the draft cash in the fictitious account opened by the workman in the name of Mohinder Singh Sandhu S/o Gurdial Singh Sandhu. The workman replied the charge-sheet and admitted the charge before the enquiry officer. He prayed for lesser punishment on the pretext that monetary loss incurred by bank has been compensated by depositing Rs. 75,000 by the workman. In spite of it, the disciplinary authority ordered for appointment of enquiry officer for fair and full fledged enquiry. The enquiry was conducted. The witness of the bank was cross-examined. Enquiry Officer submitted his report to the disciplinary authority proving the charge against the workman. The disciplinary authority after affording him the opportunity of being heard on tentative punishment awarded the punishment of his dismissal from the services. The workman preferred an appeal which was dismissed. Thereafter, the industrial dispute was raised by the workman and on account of failure of conciliation report, this reference.

After hearing the parties and perusing the entire materials on record, I am of the view that enquiry officer has rightly held the charge well proved against the workman and disciplinary authority has rightly awarded the punishment of dismissal of the workman from the services. I have come to the conclusion on the following reasons:—

(1) That the workman admitted the charges voluntarily before the enquiry officer. There is no iota of evidence adduced/filed by the workman to prove that his admission was not voluntary. During the personal hearing given by the Tribunal on the issue of fairness of enquiry, the workman has stated that he has admitted the charges

on the assurance of leaders of the union for lesser punishment. It means it was an assurance of the lesser punishment given by the leaders of the union and not by any officer of the management of the bank. Irrespective of the fact that workman before enquiry officer has admitted the charges, enquiry was conducted. The proceedings of the enquiry also proved the misconduct of the workman beyond any shadow of doubt.

(2) The workman has not only admitted before the enquiry officer but has admitted before the disciplinary authority regarding his misconduct.

(3) After the punishment of dismissal from the services, the workman filed an appeal and while availing the opportunity of personal hearing afforded by the appellate authority he again admitted the charges. Thus, before all the three authorities namely enquiry officer, disciplinary authority and the appellate authority the workman has admitted the charges voluntarily.

As stated earlier, there is not iota of evidence to doubt on the voluntarily nature of the admission. At the cost of the repetition apart from the admission of the workman before all the three authorities as mentioned above, independent witness have also proved the charges beyond shadow of doubt. Thus, there was no perversity in decision making of the enquiry officer holding the charges well proved against the workman.

It is the case of stealing of draft book, fabricate the draft and depositing the draft in the account opened in the name of some other person. This was a criminal offence committed by the workman and it was leniency of the management that no criminal action was initiated against the workman. The statement of the workman that no loss was caused to the bank as he has deposited entire amount cannot help the workman because the management is institution carrying of business of finance. It is only place where the financial transactions and regulation of money takes place every day. By such type of fraudulent activities of the workman, the confidence of the bank in workman is lost and it is not safe for the institution like bank to continue with any person of such mental temperament. Accordingly, the punishment of dismissal from the services awarded by the management of the bank was proportionate to the committed misconduct. The workman is not entitled for any relief. The industrial dispute and reference is accordingly answered. Let Central Government be approached for publication of award, and thereafter, file be consigned to record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 22 अक्टूबर, 2010

का.आ. 2887.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ बड़ौदा के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच,

अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जयपुर के पंचाट (संदर्भ संख्या 46/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-10-2010 को प्राप्त हुआ था।

[सं. एल-12012/49/2005-आई आर(बी-11)]

डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 22nd October, 2010

S.O. 2887.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.46/2006) of the Central Government Industrial Tribunal/Labour Court, Jaipur now as shown in the Annexure, in the Industrial dispute between the employees in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 15-10-2010.

[No. L-12012/49/2005-IR (B-11)]

D. S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR

PRESENT

N.K. PUROHIT,
PRESIDING OFFICER

I.D. 46/06

Reference No. L-12012/49/2005-IR(B-11) dated 16-06-2006

Nandlal Saini

S/o Shri Sualal Saini

R/o Through Hanuman Sahai Saini
NBC Hatwara Road, Plot No. 479, Jaipur

V/s

The Asstt. General Manager,
Bank of Baroda, Regional Office.
Anand Bhawan, 4th floor, S.C. Road,
Jaipur.

AWARD

30-8-2010

1. The Central Government in exercise of the powers conferred under clause (d) of sub-section 1 & 2(A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following Industrial dispute to this tribunal for adjudication which runs as under:

“Whether the action of the management of Bank of Baroda, Jaipur in terminating the services of Shri Nand Lal Saini w.e.f. 1st April, 2004 is justified? If not, what relief the applicant is entitled to?”

2. Pursuant to the receipt of the reference, the registered notices were issued to both the parties. It appears from the record that the representative for both the parties

appeared on 7-12-2009 and claim statement was filed on 22-1-2010. The representative on behalf of the bank sought adjournment for filing reply to the claim statement on 6-5-2010 & 16-6-2010. Therefore, the case was adjourned for filing the same on next date i.e. 12-8-2010 but on that date none appeared on behalf of the parties. Instead of passing any order on the same date the case was adjourned for proper orders, but again none appeared on behalf of the parties on the next date i.e. 23-8-2010. Under such circumstances case was reserved for award.

3. In reference under adjudication the question under consideration is whether the alleged action of the management of the bank in termination of the workman is justified. In this regard initial burden was on the workman to prove that he had continuously worked for not less than 240 days in the stipulated period and his termination was in violation of the provisions u/s 25 (F) & 25(G) of the Act. But the workman has not adduced any oral or documentary evidence to substantiate his averments in his claim statement.

4. Resultantly, there is no material on record except the claim statement to adjudicate the matter under consideration on merits. It appears that the workman is not willing to contest the case further. Thus under these circumstances "No Claim Award" is passed in this matter.

5. Award as above.

N.K. PUROHIT, Presiding Officer

नई दिल्ली, 22 अक्टूबर, 2010

का.आ. 2888.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 17/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-10-2010 को प्राप्त हुआ था।

[सं. एल-12012/129/2000-आई आर(बी-11)]

डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 22nd October, 2010

S.O. 2888.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.17/2001) of the Central Government Industrial Tribunal/Labour Court-1, Chandigarh now as shown in the Annexure, in the Industrial dispute between the employees in relation to the management of Bank of India and their workman, which was received by the Central Government on 6-10-2010.

[No. L-12012/129/2000-IR (B-II)]

D. S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case I.D. No.- 17/2001

Shri Mohinder Singh, S/o Shri Sadhu Singh C/o General Secy., BOI Employees Association, Bank Square, Sector-17-B, Chandigarh

...Applicant

Versus

The Zonal Manager, Bank of India, Zonal Office 181-182, Sector-17-C, Chandigarh.

...Respondent

APPEARANCES

For the Workman : Workman in person

For the Management : Shri Rajan Lohan

AWARD

Passed on : 27-9-2010

The Government of India vide Notification No. L-12012/129/2000-IR(B-II), dated 29-12-2000 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal :-

"Whether the action of the management of Bank of India (North-Western Zone, Chandigarh) in imposing the punishment of dismissal from service without notice to Shri Mohinder Singh S/o Shri Sadhu Singh, Ex-Subordinate Staff of Ambala City Branch with effect from 06-08-1997 is just and legal? If not, what relief the workman is entitled to?"

After receiving the reference parties were informed. Parties appeared and filed their respective pleadings. On perusal of the pleadings of the parties, the main dispute for adjudication before this Tribunal is whether there was any perversity in decision making of the enquiry officer holding the charge proved against the workman? Secondly, whether the disciplinary authority has rightly awarded the punishment of dismissal of workman from the services? The charge sheet was issued to the workman for his unauthorized absent for more than 30 days. The enquiry was conducted as per rules. Vide order dated 25-02-2010, enquiry conducted by the enquiry officer has held to be fair, proper, reasonable and according to the principle of natural justice. Vide said order dated 25-02-2010 parties were afforded the opportunity for adducing evidence on decision making of the enquiry

officer and disciplinary authority during the departmental proceedings.

The workman filed his affidavit. One more person Shri Rajpal Singh filed his affidavit in support of the workman. Both of the witnesses were cross-examined by learned counsel for the management. Management was also afforded the opportunity for adducing evidence but in spite of affording number of opportunities no evidence was filed/adduce. Accordingly, vide order dated 19-05-2010 the evidence of the management on both of the above mentioned issues was closed. Both of the parties were heard at length and the file was reserved for award.

During the cross-examination the workman has admitted that he was absent for more than 30 days for which he was issued the charge sheet. The reason for absence, narrated in his evidence, is his ailment. No document regarding his ailment, diagnosis and treatment have been filed by the workman. During the cross-examination, the workman has also stated on oath that he was caught by ghost. WW2, Shri Rajpal Singh has also stated on oath in open Court that he knows the workman and he was ill. But he has shown his ignorance about nature of ailment and treatment given to him. Later on, he has adduced that he was treated by a Doctor at Burail. The charge was regarding unauthorized absence for more than 30 days which the workman has admitted before this Tribunal. Thus there is no perversity in decision making of the enquiry officer holding the charge of unauthorized absent for more than 30 days well proved against the workman.

The disciplinary authority after affording the opportunity of being heard has awarded the punishment of his dismissal from the services. The core issue left for adjudication is whether the punishment awarded to the workman is proportionate to the committed misconduct. While awarding the punishment of dismissal from the services, the disciplinary authority has also mentioned the previous charges and the punishments awarded to the workman. The workman has challenged it, by stating that punishment on the charge on unauthorized absent cannot be guided by the previous misconducts. For previous misconducts the workman has been punished separately. Thus, the question arise whether administrative conscious of the disciplinary authority can be guided by the previous misconducts, charges, and punishments of the workman while awarding the punishment for subsequent misconduct. The answer to this is in my view is positive. It is admitted that prior to the charge sheet and punishment in question the workman was charge sheeted twice. Both of the charges were of similar nature. On first occasion he was awarded the lesser punishment. But on second and subsequent misconduct of the similar nature the disciplinary authority

awarded the punishment of the dismissal of the workman from the services. The appellate authority review the decision of the disciplinary authority and punishment of dismissal was substituted with the lesser punishment. The workman again absented. For his absence once again he was given the charge sheet and the charge was well proved. The disciplinary authority after conducted the lawful department proceedings awarded the punishment of his dismissal from the services. Under the circumstances, where the previous charges against the workman were of the similar nature and the workman was habitual unauthorized absentee from the services, the administrative conscious of the disciplinary authority can be guided by the previous misconducts and the punishments awarded to the workman.

Thus, the disciplinary authority has rightly stated that previously minor punishment were awarded in similar nature of misconducts. The workman has not corrected himself and shows the same habitual indiscipline by making unauthorized absent. Administration inaction and laxity which resulted indiscipline in any organization should not be tolerated. The person who is guilty of administrative inaction and laxity should be dealt with in proportionate to the committed misconduct. As stated earlier, on previous two occasions minor punishment was awarded but indiscipline, misbehaviour and misconduct of the workman continued. Accordingly, the punishment of dismissal from the services, considering the facts and circumstances of the case, was proportionate punishment to the committed misconduct and the management has rightly show the way out to the workman from the department. Accordingly there is no force in the contention of the workman. The reference is accordingly answered. Let Central Government be approached for publication of award, and thereafter, file be consigned to record room.

G.K. SHARMA, Presiding Officer

नई दिल्ली, 22 अक्टूबर, 2010

का.आ. 2889.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 221/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 06.10.2010 को प्राप्त हुआ था।

[सं. एल-12012/91/2001 आई आर(वी II)]

डी.एस.एस.श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 22nd October, 2010

S.O. 2889.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.221/

2002) of the Central Government Industrial Tribunal/Labour Court-1, Chandigarh now as shown in the Annexure, in the Industrial Dispute between the employees in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 06-10-2010.

[No. L-12012/91/2001-IR (B-II)]

D. S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case I.D. No.- 221/2002

Shri Krishan Kumar, S/o Shri Jai Narain Sharma, Village & Post-Naultha, Panipat, Haryana

...Applicant

Versus

The Senior Branch Manager, Central Bank of India, G.T. Road, Panipat, Haryana

...Respondent

APPEARANCES

For the Workman : Shri Sandeep Bhardwaj

For the Management : Shri A.K. Batra

AWARD

Passed on : 27-9-2010

Government of India vide notification no. L-12012/91/2001-IR(B-II), dated 24-10-2002 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal:—

“Whether the claim of Shri Krishan Kumar S/o Shri Jai Narain Sharma that his services were illegally terminated by the management of Central Bank of India w.e.f. 02-05-2000 and that Shri Arjun was engaged as a Peon in his place in violation of Section 25-H of the ID Act, 1947 is justified and legal? If so, what relief is the disputant concerned entitled to?”

After receiving the reference, parties were informed. Parties appeared and filed their respective pleadings. The case of the workman in nut shell is that he was engaged as temporary peon by the management of the bank on 21-12-1999 and he worked up to 01-05-2000. His name was removed from the muster rolls from 20-04-2000 but he had worked up to 01-05-2000. His services were terminated without notice or one month wages in lieu of notice and without payment of retrenchment compensation. After the termination of his services one Shri Arjun was appointed

as temporary peon without affording him the opportunity to work. The reference in question is also of the same nature. The candidature of Shri Arjun is also involved in reference. So vide order dated 17-12-2008 the management was directed to place entire records relating to Shri Arjun. No record was filed by the management. It is admitted by the workman that he only worked for 90 days and had not completed 240 days of work in the preceding year from the date of his termination. His only contention is that after his termination one Shri Arjun Singh was engaged at his place and he was not afforded the opportunity to work. The Industrial Disputes Act protects the right of every casual worker against illegal termination. If the termination of any daily waged worker's necessary, meaning thereby, if the services of any daily waged worker is no more required and he had completed 240 days of work in the preceding year from the date of his termination, one month notice or one month wages in lieu of notice and retrenchment compensation is mandatory as regulated by the Industrial Disputes Act. On the other hand, if after the termination of services of any workman, similar nature of work is available with the management priority shall be given to the retrenchee.

In written statement management has agreed the appointment of workman as daily waged worker for the period workman has alleged. In para no. 6 of the claim statement is relating to the appointment of Arjun after the termination of the services of the workman. The management has only stated that bank has its own rules and regulations for the public appointment. It is not denied that Arjun was not engaged as daily waged worker after the termination of the services of the workman. In cross-examination of the witness of the management, it is admitted by the workman that Shri Arjun Singh has worked up to July 2000. The record of after July 2000 has been not obtained from the branch concern. This evidence was recorded on 13-07-2010. Vide order dated 17-12-2008, the details of Arjun were ordered to be filed by the management. Accordingly, for want of records relating to Shri Arjun evidence was deferred. The witness Shri A.K. Batra again appeared on 10-08-2010 and without providing the relevant record he has stated that Arjun was engaged after 2000. He worked up to August 2000. In evidence dated 13-07-2010 he has deposed on oath that Arjun had worked up to July 2000, whereas, in evidence recorded on oath on 10-08-2010 he has deposed that Arjun was engaged up to August 2000. Thereafter, no workman was engaged and work was discharged by the permanent staff. Due to absence of the staff Arjun was engaged. Thereafter, the management has stated that Arjun was engaged when the permanent employees was on leave. Thus, it is admitted and proved that after the termination of services of workman Shri Krishan Kumar the same nature of work was taken by one Arjun Singh. It is violation of the provisions of the Industrial Disputes Act and on such violation the

reinstatement of the workman on the same position on which he was working prior to his termination is the only remedy.

The management has contended that Arjun has worked only for few months, likewise, management has further contended that workman had also worked less than 90 days. It is immaterial how many days workman or one Shri Arjun had worked. Even the work was available for a day it was mandate of law to provide the same to Shri Krishan Kumar and not to any other person. This right of Shri Krishan Kumar was violated and this act of the management is against the provisions of the Act. Accordingly, the management is directed to reinstate the workman on the same position on which he was previously working before his termination. Considering the fact and circumstances of the case he will not be entitled for the back wages. The industrial dispute is accordingly answered. Let Central Government be approached for publication of award and thereafter, file be consigned to record room.

G.K. SHARMA, Presiding Officer

नई दिल्ली, 22 अक्टूबर, 2010

का.आ. 2890.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स केन फिन होमस लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, मुम्बई के पंचाट (संदर्भ संख्या 48/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-10-2010 को प्राप्त हुआ था।

[फा. सं. एल-12011/17/2007-आई आर(बी-11)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 22nd October, 2010

S.O. 2890.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 48/2007) of the Central Government Industrial Tribunal/Labour Court-1, Mumbai now as shown in the Annexure, in the Industrial dispute between the employees in relation to the management of M/s. Can Fin Homes Ltd. and their workman, which was received by the Central Government on 15-10-2010.

[F.No. L-12011/17/2007-IR (B-11)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1 MUMBAI

JUSTICE MANIK MOHAN SARKAR
Presiding Officer- in charge

REFERENCE No. CGIT-1/48 of 2007

PARTIES : Employers in relation to the management of
M/s. Can Fin Homes Ltd.

And

Their Workman

APPEARANCES:

For the Management : Mrs. Geeta Raju, Adv

For the Workman : Workman present

State : Maharashtra

Mumbai, dated the 27th day of September, 2010

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of sub section 1 of Section 10 of the Industrial Disputes Act, 1947 (The Act for short) vide Government of India, Ministry of Labour, New Delhi Order No. L-12011/17/2007-IR (B-II) dt. 17-8-2007. The terms of reference given in the schedule are as follows:

"Whether the action of the management of M/s. Can Fin Homes Ltd. in not regularising the leave and not paying the wages from 14-03-2006 to Mrs. Cynthia Pereira is legal and justified? If not, what relief the workman is entitled for?"

2. The workman, Mrs. Cynthia Pereira is personally present and filed an application with prayer for final disposal of this matter by permitting her to withdraw the dispute. She had also filed another application with the same prayer earlier on December 1, 2009.

3. Mrs. Cynthia Pereira is personally heard and she expressed that she is representing her own case and she is not being represented by any workman Union and she also expressed that since she has no grievance at present against the Management and since there is no Industrial Dispute at present, she does not want to proceed with this matter any more and wanted to withdraw the present dispute.

4. Mrs. Geeta, learned Advocate for the Management submitted that since the workman herself volunteered to end the dispute by withdrawing her claim, the Management has got no objection against her prayer. In such circumstances, since the approach of Mrs. Pereira is voluntary as it appears, the prayer sought for final disposal of the dispute is ordered treating the present reference having no Industrial Dispute at present. Let the Award be passed accordingly.

JUSTICE MANIK MOHAN SARKAR, Presiding Officer

नई दिल्ली, 22 अक्टूबर, 2010

का.आ. 2891.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओरियंटल बैंक ऑफ कॉमर्स के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, नई दिल्ली के पंचाट (संदर्भ संख्या

35/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-10-2010 को प्राप्त हुआ था।

[सं. एल-12011/18/2010-आई आर(बी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 22nd October, 2010

S.O. 2891.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 35/2010) of the Central Government Industrial Tribunal/Labour Court-I, New Delhi now as shown in the Annexure, in the Industrial dispute between the employees in relation to the management of Oriental Bank of Commerce and their workman, which was received by the Central Government on 22-10-2010.

[No. L-12011/18/2010-IR (B-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE DR. R.K. YADAV, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
NO. 1, KARKARDOOMA COURTS COMPLEX,
DELHI**

I.D. No. 35/2010

The General Secretary,
All India Bank Staff Association,
33-34, Bank Enclave, Ring Road, Rajouri Garden,
New Delhi-110037.

...Workman

Versus

The Assistant General Manager (Personnel),
Oriental Bank of Commerce,
HQ Harsha Bhawan, E Block, Connaught Place,
New Delhi.

...Management

AWARD

A clerk-cum-cashier posted at Fatehpuri Branch, Oriental Bank of Commerce, conspired with his associate, namely, Netrapal to commit theft in that branch of the bank. On 15th of April, 2006, he called his associate in the bank during evening hours and made him to conceal his presence in cash cabin. He went inside the toilet and hide himself. However, his presence was noticed there by a lady, who brought that fact to the knowledge of Shri Ashok Kumar, a daily wage employee of the bank. By the time Ashok Kumar went in his search, he concealed himself in meter room, from where he was brought out and premises of the bank were locked. After sometime, he asked the watchman to open the bank premises. When bank premises were opened, he brought out his associate Netrapal. Those facts were brought to the notice of the authorities. Besides that

incident, on 22-11-2005, Shri K.L. Khurana deposited a Cheque No. 017963 dated 17-11-2005 drawn for a sum of Rupees two lacs in his account No. SB-A/c 13246 maintained at the said branch. Cheque was not credited to his account. The said cashier-cum-clerk stole that cheque and encashed it at the counter of Rajinder Nagar branch of the bank on 23-11-2005 by forging signatures of Shri K.L. Khurana. For these misdoings a charge-sheet was served on him. An enquiry was conducted and punishment of removal from service with superannuation benefit was awarded to him, vide order dated 18-1-2008. He assailed that order and filed a claim statement before the Conciliation Officer. Since conciliation proceedings failed, the appropriate Government referred the dispute to this Tribunal, vide order No. L-12011/18/2010-IR(B-II), New Delhi, dated 22-7-2010 with following terms:

“Whether the action of the management of Oriental Bank of Commerce in terminating the services of Shri Anuj Kumar, Ex- cashier-cum-clerk, Fatehpuri, Chandni Chowk Branch, New Delhi, w.e.f. 18-1-2008, is just fair and legal? If not to what relief the workman is entitled?”

Vide order of reference, the appropriate Government commanded that the General Secretary, All India Bank Staff Association, who was espousing the cause of the claimant before the authorities, to file claim statement within 15 days from receipt of the order of reference. Despite the command, so given by the appropriate Government, claim statement was not filed.

3. A notice was sent to the General Secretary, All India Bank Staff Association, 33-34, Bank Enclave, Ring Road, Rajouri Garden, New Delhi, by registered post on 9-8-2010 calling upon him to file claim statement. Despite service of that notice, no claim statement was filed on behalf of the claimant. Another notice was sent to the General Secretary by registered post on 24-8-2010 to file claim statement. Despite service of the said notice, claim statement was not filed on behalf of the claimant.

4. In reference order the claimant is to be served through General Secretary, All India Bank Staff Association, 33-34, Ring Road, Rajouri Garden, New Delhi. Except that address no other address is available, on which steps may be taken to command the claimant to file his claim statement. Under these circumstances this Tribunal cannot take any other steps for service of the claimant, calling upon him to file claim statement.

5. On 3rd of September, 2010, Shri J.N. Kapoor, General Secretary, All India Bank Staff Association, appeared before this Tribunal in a case. He was informed that the case was listed for 6-9-2010 for filing of the claim statement. He conceded that service of the notice was effected upon him. However, he presented that the claimant has taken away his file from him and his present whereabouts are not known to him. Therefore, it is evident

that the claimant and his union were aware about the reference and date of hearing before this Tribunal. Despite opportunities accorded to them, no claim statement was filed on behalf of the claimant.

6. The bank filed its response, alongwith the documents, to the reference made by the appropriate Government. It has been projected therein that a charge-sheet was served upon the claimant and an enquiry was conducted. The enquiry conducted by the bank was fair and in consonance with the principles of natural justice. Disciplinary Authority awarded punishment of removal from service with superannuation benefits to the claimant, vide its order dated 18-1-2008. It has been projected that the claimant is not entitled to any relief.

7. On perusal of record, it came to light that Anuj Kumar was serving as Clerk-cum-Cashier at Fatehpuri Branch of the bank. He used to commute to the said branch of the bank from Khurja. He conspired with Netrapal to commit theft in the bank. In furtherance to the conspiracy so entered, he called Netra Pal to the branch in evening hours on 15th of April, 2006. Anuj Kumar hid him insider cash cabin. Shri H.S. Virdhi and D.K. Batra were doing closing work and sitting late in the bank that day. Around 5.45 PM the claimant hid himself in the toilet. One lady went to toilet and found it bolted. She kept on standing in the passage outside the door of toilet. When she was noted by Ashok Kumar, she informed him that someone was inside the toilet. Ashok Kumar went inside and reported that none was there. The lady went inside and came out immediately and asserted that someone was there in next room to the toilet. Ashok Kumar went in the next room (meter room) and found Anuj Kumar sitting inside. It was dark there, Anuj Kumar came outside and sat on sofa. When Ashok Kumar enquired as to why he was hiding himself in the meter room, he replied that he will let him know after wards. Shri Anuj Kumar was sweating at that time. Shri Batra and Vijay came down stairs and bank premises were closed. Anuj Kumar kept standing outside the bank premises. Shri Vijay enquired as to why he was standing outside. On that enquiry he told that he has missed his train. When Shri H.S. Virdhi and Mr. D.K. Batra went away Anuj Kumar told Ashok Kumar that his friend was inside, who was to be brought out. Shri Ramesh Chand, A.T.M. Guard opened the branch. Anuj Kumar went inside and brought Netra Pal alongwith him. Netra Pal was having a polythene bag with him. These facts were brought to notice authorities and on 21-4-2006 Anuj Kumar confessed his guilt before the Chief Manager.

8. On 22-1-2005 Shri K.L. Khurana, S.B. A/c No. 13246 holder, deposited a cheque No. 017963 dated 17-11-05, drawn for a sum of rupees two lacs on Rajinder Nagar branch of the bank, at Fatehpuri branch. The said cheque was not credited to his account. Anuj Kumar stole that cheque, went to Rajinder Nagar branch on 23-11-05 and encashed it by forging signatures of Shri K.L. Khurana. Thus he cheated

Shri Khurana as well as bank authorities to the tune of rupees two lacs.

9. For misconducts referred above, a charge sheet was served on Anuj Kumar. Shri S.V. Taneja was appointed as I.O. and B.B. Wadhwa as Presenting Officer. Enquiry Officer served a notice on the claimant to appear before him, to answer the charges. The claimant opted not to appear before the Enquiry Officer, who conducted proceedings *ex parte*. He submitted his report to the Disciplinary Authority, who awarded punishment of removal from service on the claimant.

10. When the workman did not opted to avail opportunity then subsequently he cannot challenge the enquiry which was continued in his absence, claiming it to be violative of principles of natural justice. When the workman intentionally refused to participate in the enquiry, he cannot complain that his dismissal is against principles of natural justice. Law to this effect was laid in *Sadul Textiles Mills Limited* [1957(1) I.L.J 572], *Bagchi (P.N.) & Co. Private Limited* [1959 (1) LLJ 605], *Muir Mills Company Limited* (24 FJR 123), *Major U.R. Bhatt* [1962 (1) I.L.J 656], *Ghansham Dass Srivastava* [1968 (2) I.L.J 246] and *Laxmi Devi Sugar Mills* [1957 (1) I.L.J 17].

11. Normally in a judicial proceedings a party is not to be heard who absents himself from the hearing and if the quasi judicial authority holds proceedings *ex parte* in such a case, then it will not amount to misconduct on his part. Law to this effect was laid in *S. Govinda Menon* [1973 (2) LLJ 369]. In view of these proposition of law, it is crystal clear that the Enquiry Officer is not guilty of violating the principles of natural justice. The Disciplinary Authority tried to seek an explanation of the workman but he could not succeed, since the workman had decided not to respond to the communications sent by the Disciplinary Authority or the Enquiry Officer. Under these circumstances it was beyond the competence of the authority to accord an opportunity of being heard to the workman.

12. There is other fact of the coin. Claimant was called upon by the Enquiry Officer to appear before him on 14-11-07. He opted not to appear before the Enquiry Officer. Enquiry Officer proceeded with the matter and recorded witnesses of the bank. Confession made by him on 21-4-06 was proved before the Enquiry Officer. These facts led the Enquiry Officer to conclude that charges against the claimant stood proved, on face of confession which was exhibited as Ex. M-1. When claimant admitted charges levelled against him and made an unconditional and unqualified confession then nothing was to be done by way of an enquiry and it cannot be argued that proceedings of the departmental enquiry should have been continued notwithstanding such admission or confession. When a worker, called for enquiry, admits charges and his union representative is also present who does not dispute that fact, then the cannot later on complain to say that there was no enquiry against him.

When there is an admission of guilt, in an unconditional and unqualified manner, conduct of an enquiry would be empty formality. Law to this effect was laid in *J.L. Toppo* (AIR 1963 Patna 177), *Firestone Tyre and Rubber Co. of India Ltd.* [1967 (II) LLJ 715], *Central Bank of India Ltd.* [1967 (II) LLJ 739] and *Rabindra Mohan* (AIR 1961 Tripura 1).

13. When admission made by an employee shows that he had committed misconduct then question of violation of principles of natural justice cannot have any relevance. If a misconduct is admitted then this is antecedent to violation of principles of natural justice or victimization. If the workman admits his guilt before the Enquiry Officer, there is no obligation on the management to lead evidence on merits because that would be empty formality and in such cases there can not be violation of principles of natural justice. An explanation need be called from an employee and enquiry necessitated only when a charge is denied and the employee wants to put up a defence in support of his case. In case of admission of guilt by the employee, formality of enquiry stands obviated. Law to this effect was laid in *Boisanabi Tea Estate* (1989 Lab. I.C. 557), *Food Corporation of India* [1983 (3) S.L.R. 116], *T.K. Singh* (1969 S.L.R. 18), and *Ram Subhash Ojha* (AIR 1967 Cal. 81).

14. When findings are based on admission of guilt by delinquent employee then though technically it is true that the witnesses cited by the management or employee were not examined by the Enquiry Officer but this under such circumstances, would not cause any prejudice to him and non-examination of defence witnesses cannot be said to have invalidated the findings recorded by the Enquiry Officer. Once an opportunity to show cause is given to an employee the employer is exonerated of its duty of giving reasonable opportunity to the employee concerned. But if the employee does not avail opportunity for showing cause and throws himself at the mercy of the Disciplinary Authority or tender an unqualified apology then he is not entitled to any relief on the ground that the enquiry was in violation of the principles of natural justice. In domestic enquiries principles of criminal jurisprudence, requiring absolute proof of guilt cannot be imported. Reference can be made to the precedent in *Bhagati Singh* (AIR 1966 Pat. 205), *Hindustan Aircraft Ltd.* [1969 (2) LLJ 45] and *John* (AIR 1965 S.C. 163). In view of these facts it is concluded that the enquiry was fair and proper.

15. Are there any justification for punishment of dismissal? Right of an employer to inflict punishment of discharge or dismissal is not unfettered. The punishment imposed must be commensurate with gravity of the misconduct, proved against the delinquent workman. Prior to enactment of Section 11-A of the Act, it was not open to the industrial adjudicator to vary the order of punishment on finding that the order of dismissal was too severe and was not commensurate with act of misconduct. In other

words, the industrial adjudicator could not interfere with the punishment as it was not required to consider propriety or adequacy of punishment or whether it was excessive or too severe. Apex Court, in this connection, had, however, laid down in *Bengal Bhatdee Coal Company* [1963 (I) LLJ 291] that where order of punishment was shockingly disproportionate with the act of the misconduct which no reasonable employer would impose in like circumstances, that itself would lead to the inference of victimization or unfair labour practice which would vitiate order of dismissal or discharge. But by enacting the provisions of Section 11-A of the Act, the Legislature has transferred the discretion of the employer in imposing punishment, to the industrial adjudicator. It is now the satisfaction of the industrial adjudicator to finally decide the quantum of punishment for proved acts of misconduct, in cases of discharge or dismissal. If the Tribunal is satisfied that the order of discharge or dismissal is not justified in any circumstances on the facts of a case, it has the power not only to set aside order of punishment and direct reinstatement with back wages, but it has also the power to impose certain conditions as it may deem fit and also to give relief to the workman, including award of lesser punishment in lieu of discharge or dismissal.

16. It is established law that imposing punishment for a proved act of misconduct is a matter for the punishing authority to decide and normally it should not be interfered with by the Industrial Tribunal. The Tribunal is not required to consider the propriety or adequacy of punishment. But where the punishment is shockingly disproportionate, regard being had to the particular conduct and past record, or is such as no reasonable employer would ever in these make circumstance, the Tribunal may treat the imposition of such punishment as itself showing victimization or unfair labour practice. Law to this effect was laid by the Apex Court in *Hind Construction and Engineering Company Labour* [1965 (1) LLJ 462]. Likewise in *Management of the Federation of Indian Chambers of Commerce and Industry* [1971 (II) LLJ 630] the Apex Court ruled that the employer made a mountain out of a mole hill and had blown a trivial matter into one involving loss of prestige and reputation and as such punishment of dismissal was held to be unwarranted. In *Ram Kishan* [1996 (1) LLJ 982] the delinquent employee was dismissed from service for using abusive language against a superior officer. On the facts and in the circumstances of the case, the Apex Court held that the punishment of dismissal was harsh and disproportionate to the gravity of the charge imputed to the delinquent. It was ruled therein, "when abusive language is used by anybody against a superior, it must be understood in the environment in which that person is situated and the circumstances surrounding the event that led to the use of abusive language. No straight-jacket formula could be evolved in adjudicating whether the

abusive language in the given circumstances would warrant dismissal from service. Each case has to be considered on its own facts."

17. In B.M. Patil [1996 (II) LLJ 536], Justice Mohan Kumar of Karnataka High Court observed that in exercise of discretion, the disciplinary authority should not act like a robot and justice should be moulded with humanism and understanding. It was assess each case on its own merit and each set of fact should be decided with reference to the evidence recording the allegation, which should be basis of the decision. The past conduct of the worker may be a ground for assuming that he might have a propensity to commit the misconduct and to assess the quantum of punishment to be imposed. In that case a conductor of the bus was dismissed from service for causing revenue loss of 50p to the employer by irregular sale of tickets. It was held that the punishment was too harsh and disproportionate to the act of misconduct.

18. After insertion of Section 11-A of the Act, the jurisdiction to interfere with the punishment is there with the Tribunal, who has to see whether punishment imposed by the employer is commensurate with the gravity of the act of misconduct. If it comes to the conclusion that the misconduct is proved, it may still hold that the punishment is not justified because misconduct alleged and proved is such as it does not warrant punishment of discharge or dismissal and where necessary, set aside the order of discharge or dismissal and direct reinstatement with or without any terms or conditions as it thinks fit or give any other relief, including the award of lesser punishment, in lieu of discharge or dismissal, as the circumstance of the case may warrant. Reference can be made to a precedent in Sanatak Singh (1984 Lab. I.C. 817). The discretion to award punishment lesser than the punishment of discharge or dismissal has to be judiciously exercised and the Tribunal can interfere only when it is satisfied that the punishment imposed by the management is highly disproportionate to the decree of the guilt of workman. Reference can be made to the precedent in Kachraji Motiji Parmar [1994 (II) LLJ 332]. Thus it is evident that the Tribunal has now jurisdiction and power of substituting its own measure of punishment in place of the managerial wisdom, once it is satisfied that the order of discharge or dismissal is not justified. On facts and in the circumstances of a case, Section 11A of the Act specifically gives two folds powers to the Industrial Tribunal, first is virtually the power of appeal against findings of fact made by the Enquiry Officer in his report with regard to the adequacy of the evidence and the conclusion on facts and secondly of foremost importance, is the power of reappraisal of quantum of punishment.

19. Power to set aside order of discharge or dismissal and grant relief of reinstatement or lesser punishment is not untrammelled power. This power has to be exercised only when Tribunal is satisfied that the order of discharge or

dismissal was not justified. This satisfaction of the Tribunal is objective satisfaction and not subjective one. It involves application of the mind by the Tribunal to various circumstances like nature of delinquency omitted by the workman, his past conduct, impact of delinquency on employer's business, besides length of service rendered by him. Furthermore, the Tribunal has to consider whether the decision taken by the employer is just or not. Only after taking into consideration these aspects, the Tribunal can upset the punishment imposed by the employer. The quantum of punishment cannot be interfered with without recording specific findings on points referred above. No indulgence is to be granted to a person, who is guilty of gave misconduct like cheating, fraud, misappropriation of employers fund, theft of public property etc. A reference cannot be made to the precedent in Bhagirath Mal Rainwa [1995 (I) LLJ 960].

20. Whether punishment awarded to the claimant does not commensurate with the misconduct? For an answer, facts are to be scanned again. Anuj Kumar conspired to commit theft with Netra Pal in the bank premises. He called Netra Pal in bank premises on 15-4-06 and concealed him in cash cabin. He also concealed himself in meter room. His presence was noted by Ashok Kumar, who brought the claimant out. When bank was closed at that time claimant disclosed that Netra Pal was inside the bank premises. After opening bank premises Netra Pal was brought out. These facts highlight that the claimant conspired to commit theft in the bank premises and took steps in furtherance of that conspiracy. All these facts are suggestive that the claimant took steps to cause damage to the bank's property.

21. On 22-11-05 the claimant stole cheque No. 017963, deposited by Shri K.L. Khurana in his account in S.B. A/c 1436. He took that cheque to Rajinder Nagar branch and forged signatures of Shri Khurana and received payment of rupees two lacs. Thus it is evident that the claimant committed forgery and cheated the bank as well as Khurana of a sum of rupees two lacs. Act of forgery and cheating are also grave. If an employee commits such serious misconduct bank loses confidence in him. Bank cannot be asked to have faith in such employee. He cannot be permitted to remain in service. Therefore, punishment of removal from service, awarded to the claimant cannot be termed as shockingly disproportionate to his misconduct.

22. In view of the facts detailed above, it is found that action of the bank in awarding punishment of removal from service with superannuation benefits to Anuj Kumar vide its order dated 18-1-08 is held to be just, fair and legal. The claimant is not entitled to any relief in that regard. An award is accordingly passed. It be sent to the appropriate Government for publication.

Dr. R. K. YADAV, Presiding Officer

Dated: 17-9-2010

नई दिल्ली, 22 अक्टूबर, 2010

का.आ. 2892.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स प्रदीप कोक इन्डस्ट्रीज के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-1, धनबाद के पंचाट (संदर्भ संख्या 8/1992) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-10-2010 को प्राप्त हुआ था।

[सं. एल-20012/196/1991-आई आर(सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 22nd October, 2010

S.O. 2892.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 8/1992) of the Central Government Industrial Tribunal-cum-Labour Court-I, Dhanbad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. Pradeep Coke Industries and their workmen, which was received by the Central Government on 22-10-2010.

[No. L-20012/196/1991-IR (C-I)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1 AT DHANBAD

Presiding Officer : H. M. SINGH,

In the matter of an Industrial Dispute under Section 10(1)
(d) of the I. D. Act, 1947

REFERENCE No. 8 of 1992

Parites : Employers in relation to the management
of Pradeep Coke Industries and their
workmen

APPEARANCES :

On behalf of the Workman	:	None
On behalf of the Employers	:	None
State : Jharkhand		Industry : Coke

Dated, Dhanbad, the 16th July, 2010

AWARD

The Government of India, Ministry of Labour, in exercise of its powers conferred on them under Section 10(1)(d) of Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/196/1991-IR(Coal-I), dt. the Nil.

SCHEDULE

"Whether the action of the management of M/s. Pradeep Coke Industries in terminating the services

of S/Shri Prabhunath Pandey, Bijoy Ram and Bhim Paswan w.e.f. 10-3-91 is justified? If not, to what relief the workman are entitled?"

2. In the written statement filed on behalf of the concerned workmen it has been stated that the concerned workmen namely S/Shri Parbhunath Pandey, Bijoy Ram and Bhim Paswan has been working as permanent workmen of Pradeep Coke Industry since long with unblemished record of service. It has been alleged that the management have scanty respect for the settled law of the land the management appointed the workmen beyond imagination of the commonman. The concerned workmen tried to mobilise the workmen against the anti-labour and exploitation of the management which annoyed them to the extent of permutation of service of the concerned workmen in violation of the mandatory provisions of law. The concerned workmen have put in more than 240 days attendance in each clendar year. The management terminated the services of the concerned workmen in violation of the principles of natural justice and in violation of Section 25-F of the I. D. Act, 1947. Seeing no other alternative the union of the concerned workmen raised in industrial dispute before the ALC(C) Dhanbad which ultimately resulted reference to this Tribunal for adjudication. It has been prayed on behalf of the concerned workmen to pass an Award in favour of the workmen directing the management to reinstate them in service with full back wages.

3. In the Written Statement filed on behalf of the management it has been stated by them that the present reference is not legally maintainable. The management is running a snail scale industry and is nor running any mine, therefore the present reference is beyond the jurisdiction of the Hon'ble Tribunal.

4. The management have further stated that Shri Prabhunath Pandey was not a workman of the management. He was not engaged by the management in any capacity. He is a union leader and goes to the factory along with his supporters to create disturbances in the factory from time to time. As he is not a workman the question of terminating him from his service did not arise. With regard to the concerned workman Bhim Paswan it has been stated that he was working as Temporary Trammer from 15-4-90 and left his employment on 27-11-90 at his own volition without any information to the management. He was not able to perform his duties properly and left employment at his own accord. Shri Bijoy Ram was engaged as Trolleyman on 1-4-90 and worked upto 15-2-91. As he was contracted with Leprosy other workmen were not willing to work with him. So he was advised to get himself medically treated and to join again after recovery from illness. Thereafter he did not report for duty. Therefore, the allegation of the concerned workmen that they have

been terminated from service is false baseless and without any merit. Accordingly prayer has been made to pass an Award rejecting the claim of the concerned workmen.

5. Both the parties have filed their respective rejoinders admitting and denying the contents of each other's written statement.

6. It appears from the record that management side in order to substantiate their claim has produced one Shri Khudiram Dutta who has been examined as MW-1. He has proved documents marked as Ext. M-1 to M-1/4. No evidence has been adduced on behalf of the workman to substantiate their claim.

7. In this case at the stage of hearing argument none of parties have turned up for placing their argument. Now let me consider the case on basis of materials on record.

8. It has been contended on behalf of the concerned workmen in their written statement that they has been working as permanent workmen of the management. They have put in continuous service and they have put in more than 240 days of attendance. The management terminated the services of the concerned workmen in violation of the principles of natural justice and in violation of Section 25F of the I.D. Act., 1947. Management on the other hand submitted that Shri Prabhunath Pandey was not a workman of the management and the other concerned workmen namely Shri Bhim Paswan and Shri Bijoy Ram left the services of management of their own choice. In this context the evidence of MW-1 is very impotent. In course of his evidence in examination-in chief he has stated "the workman Prabhunath Pandey never worked in the Coke industry and two other workmen have worked for less than 1 year in our Coke Industry. Workman Prabhunath Pandey used to sit in the place outside the plant and was working as leader. Workman Bhim Paswan worked from 15-4-90 to 17-11-90 as Trolleyman. He was a temporary workman. He was not physically fit work in Coke Bhatta and he left job of his own. Workman Bijoy Ram worked from 1-4-90 to 25-2-91. He was suffering from leprosy and other workers protested out of fear. We asked to get treatment of the disease and after being fit to produce medical certificate and rejoin the work. Thereafter he never turned up with medical certificate for work." This statement of the management witness shows that Prabhunath Pandey was not the worker of the management and two other workmen namely Bhim Paswan left the job of his own as he was not medically fit and Bijoy Ram, other workmen was suffering from leprosy and the management directed him to get medically treated and after recovery to rejoin the work with medical fitness certificate. But he never turned up and have not completed 240 days in any calendar year. Nothing has come out from the cross-examination of MW-1 which may help the case of the concerned workmen.

9. It appears from the record that the workmanside inspite of getting ample opportunities did not adduce any

evidence. Onus lies upon them to prove that they have completed 240 days and management have terminated their services. I have gone through the materials on record and I have failed to find out any merit in the claim of the concerned workmen. Accordingly the following Award is rendered :

"Since the concerned workman Prabhunath Pandey was not the worker of the management, the question of his termination does not arise. The other two concerned workman Bhim Paswan and Bijoy Ram have left their job of their own sweetwill so the question of their termination never arise."

H. M. SINGH, Presiding Officer

नई दिल्ली, 22 अक्टूबर, 2010

का.आ. 2893.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार फ़ैडरल बैंक लिमिटेड के प्रबंधन को संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, एर्नाकुलम के पंचाट (संदर्भ संख्या 72/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-10-2010 को प्राप्त हुआ था।

[सं. एल-12012/75/1998-आईआर(बी 1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 22nd October, 2010

S.O. 2893.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award I. D. (Ref. No.72/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Ernakulam as shown in the Annexure, in the Industrial dispute between the management of Federal Bank Ltd. and the General Secretary, Federal Bank Staff Union, Alwaye, received by the Central Government on 20-10-2010.

[No. I-12012/75/1998-IR (B-1)]

RAMESH SINGH, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present : Shri P. L. NORBERT, B.A., LL.B, Presiding Officer
(Tuesday the 28th day of October, 2008/6th Karthika 1930)

I. D. 72/2006

(I. D. 47/1998 of Labour Court, Ernakulam)

Union :	The General Secretary, Federal Bank Staff Union, Champion Building, Bank Junction, Alwaye. By Adv. Sri. H. B. Shenoy.
Management :	The Chairman, Federal Bank Limited, Head Office, Alwaye-683 101 By Adv. M/s. B. S. Krishnan Associates.

This case coming up for final hearing on 20-10-2008, this Tribunal-cum-Labour Court on 28-10-2008 passed the following.

AWARD

This is a reference made under Section 10(1)(d) of I.D. Act. The reference is :

“Whether the action of the management of M/s. Federal Bank Ltd. in dismissing the services of workman Sri.C.C. Dinesh, Clerk w.e.f. 30-04-1997 for the alleged charge of absents without leave, is justified ? If not, to what relief the workman is entitled ?”.

2. The facts of the case in brief are as follows :—

Sri. C. C. Dinesh was a Clerk of Girinagar branch of Federal Bank. He was charge sheeted by two charge sheets dated 6-11-1993 and 22-11-1993. The allegation in both charge sheets is that he remained absent without leave and in view of earlier three punishments for minor misconduct the present unauthorised absence is a gross misconduct of habitually remaining absent without leave. As per the first charge sheet it was alleged that he remained absent from 16-09-1993 to 23-09-1993 (8 days) and resumed duty on 24-09-1993, but applied for leave only on 18-10-1993. As per the 2nd charge sheet he is said to have remained absent without applying from 15-11-1993 onwards. He applied for leave only on 18-11-1993 for a few days on sick ground. Two enquiries were conducted and he was found guilty of habitual absence without complying with leave rules. In view of the earlier three punishments for the same misconduct by imposing censure twice and stoppage of increment for 6 months without cumulative effect, he was dismissed from service treating it as a major misconduct.

3. The contention of the union is that the charges are vague. The charge sheets are silent about the witnesses to be examined and documents to be relied on by the management. The vital documents sought for by the worker were not produced by the management. Defence witness was not allowed to be examined by the Enquiry Officer. The disciplinary authority did not properly assess the evidence and analyse the findings of enquiry officer in the proper perspective. At any rate the punishment is bad and excessive. The management has not passed any order on the leave applications submitted by the worker. Hence the charge cannot stand. The worker is entitled to be reinstated with back wages and other benefits.

4. According to the management the worker was in the habit of absents. He used to apply for leave only after resuming duty. Management had arranged for medical examination of the worker and it was found in the examination that he was not suffering from any illness warranting rest. In spite of repeated advise he made no improvement in his habit. Disciplinary action was taken three times previously for unauthorised absence and three times minor punishments were imposed. Hence an enquiry

was ordered when similar misconduct was repeated. The worker fully participated in the enquiry. He was defended by a union executive member. Based on evidence on the record the enquiry officer found the workman guilty of habitual absence and non compliance with leave rules. A copy of the Enquiry Report was given to him. He was heard regarding findings by the disciplinary authority. He was also given notice of proposed punishment and he was heard. Considering the past conduct of the workman and his irresponsible attitude the punishment of dismissal was imposed. The workman had no case during enquiry that the charges were vague. On the contrary the charges were specific and he was aware of the charges. Sufficient opportunity was given to the worker to defend the charges and adduce defence evidence. Hence he is not entitled for reinstatement or any other relief.

5. In view of the above contentions the following points arise for consideration :

1. Are the findings sustainable ?
2. Is the punishment legal and proper ?

The evidence consists of the oral testimony of MW1 and documentary evidence of Exts.M1 and M2 on the side of the management and no evidence on the side of the union.

6. **Points 1 and 2 :**— in respect of the 2 charge sheets dated 06-11-1993 and 22-11-1993 alleging habitual absence two enquiries were conducted and two enquiry reports were submitted by two different Enquiry Officers. In both enquiries the worker was found guilty of habitual absence. The disciplinary authority passed a common order of dismissal from service without notice. At the time of hearing the learned counsel for the union did not press for a finding regarding merits of the enquiry but only questioned the propriety of treating the misconduct as a gross misconduct falling within Clause 19.5 (f) of First Bipartite Settlement. According to the learned counsel for the union a charge under Clause 19.5(f) will not lie as the worker was punished twice with censure and once with stoppage of increment only. Clause 19.5(f) reads :—

“habitual doing of any act which amounts to “minor misconduct” as defined below, “habitual” meaning a course of action taken or persisted in notwithstanding that at least on three previous occasions censure or warnings have been administered or an adverse remark has been entered against him;”

7. The learned counsel for the management would submit that the above clause takes in any minor punishment made mention in Clause 19.8 and imposed three times on previous occasions for minor misconduct. When a minor misconduct is committed on a fourth occasion, it amounts to a major misconduct. The submission does not appear to be correct. Clause 19.5(f) refers to “habitual” minor punishments i.e. censure, warning and adverse remark and

not all punishments mentioned in Clause 19.8. If the intention was to include all minor punishments, there was no need to specifically refer to three of the minor punishments alone in 19.5(f). Stoppage of increment is excluded from Clause 19.5(f). The reason could be that the stoppage of increment itself is a deterrent punishment as there is monetary loss. Whereas warning, censure or advise remark are not sufficiently deterrent punishments. The workman was punished twice with censure and one with stoppage of increment for six months without cumulative effect. The last punishment of stoppage of increment cannot be said to be a minor misconduct falling within Clause 19.5(f) to make it 'habitual'. Therefore the worker cannot be charged for gross misconduct under Clause 19.5(f). But there is no illegality in holding an enquiry even though the misconduct is minor. However the punishment of dismissal from service cannot stand as the misconduct is only a minor misconduct. No doubt the worker has been remaining absent on and of and it is bound to affect the smooth functioning of the bank. But the management can proceed only legally for disciplinary action. The service of the employee cannot be dispensed with somehow. The management can impose only one of the minor punishments, maximum of which is stoppage of increment for a period of six months. Naturally the punishment of dismissal from service is unsustainable.

In the result an award is passed finding that the action of the management in dismissing the workman Sri. C.C. Dinesh from service is illegal and unjustified and the punishment of dismissal is reduced to stoppage of increment for a period of six months without cumulative effect as per Clause 19.8 C of First Bipartite Settlement. The management is directed to re-instate the workman in service with continuity of service and back wages from 30-04-1997 and all other statutory benefits within one month after the award becomes enforceable.

The award will come into force one month after its publication in the official gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 28th day of October, 2008.

P. L. NORBERT, Presiding Officer

Appendix

Witness for the Union	—	Nil
Witness for the Management		
MW1	—	06-06-2008 K.P.Poly
Exhibit for the Union	—	Nil.
Exhibits for the Management		
M1 & M2	—	Enquiry Files.

नई दिल्ली, 22 अक्टूबर, 2010

का.आ. 2894.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स इन्डियन

एयरलाइन्स लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, गुजरात अहमदाबाद के पंचाट (संदर्भ संख्या 1437/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-10-2010 को प्राप्त हुआ था।

[सं. एल-11012/53/2004 आई आर(सी 1)]

डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 22nd October, 2010

S.O. 2894.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.1437/2004) of the Central Government Industrial Tribunal/Labour Court, Gujarat Ahmedabad as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of M/s. Indian Airlines Ltd., and their workman, which was received by the Central Government on 22-10-2010.

[No. L-11012/53/2004-IR(C-1)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT AHMEDABAD

PRESENT

BINAY KUMAR SINHA, Presiding Officer, Ahmedabad

Reference (C.G.I.T.A) No. 1437/2004

Manager,
Indian Air Lines Ltd.,
University Road Fatchganj,
Baroda

...First Party

& Their Workman

Office Suprintendent,
Gujarat Mazdoor Panchayat,
Shram Shakti P. B. No. 77,
G.P.O., Opp. Prabhat Press,
Mirzapur Road,
Ahmedabad-380 001

...Second Party

APPEARANCES:

For the Employer	:	Shri Girish Prajapati (Advocates)
For the Workman	:	Shri S. G. Vagela Representative

Ahmedabad dated 4th October, 2010

(Ref. C.G.I.T.A. No. 1437/04)

AWARD

The Government of India, Ministry of Labour and Employment by its Order No. L-11012/53/2004/IR (C-1) dated

23/08/2004 in exercise of the powers conferred by clause (d) of sub section (1) and sub-section 2(A) of Section 10 of the Industrial Dispute Act, 1947 have referred the following dispute to this Tribunal for adjudication :

“Whether the demand of the Gujarat Mazdoor Panchayat for reinstatement/regularization of (1) S/ Shri Santosh D Chalke (2) Iqbalhusain S. Gohil (3) Bhailalbhai D. Rathod (4) Rajakbhai Y. Shaik (5) Kanubhai D. Parmar (6) Devidas N. Dhabhade (7) Sanjay Kumar D. Patanbadia (8) Wasimbhai A. Shaikh (9) Bharatbhai D. Patil (10) Jasubhai K. Rathod is justified ? What relief are the concerned workmen entitled and from what date ?

2. The parties were issued a notice to file statement of claim by this tribunal, which were not filed by the parties. The second party has submitted an authority to represent the second party. By Ex. 5 the second Party submitted an application to withdraw the reference and it was stated that second party is satisfied and he does not want to adjudicate the matter and prayed to allow the second party to withdraw the matter. Looking to the facts of Ex. 5 this Tribunal has allowed to withdraw the reference. Hence I hereby passed the following order :

ORDER

Application Ex. 5 is hereby allowed. The second party is allowed to withdraw the reference. The reference is hereby disposed off. No order as to cost.

Date : 4-10-2010
Ahmedabad

B. K. SINHA, Presiding Officer

नई दिल्ली, 22 अक्टूबर, 2010

का.आ. 2895.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिंडिकेट बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-2, मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-2/31 ऑफ 2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-10-2010 को प्राप्त हुआ था।

[सं. एल-12011/245/2000-आई आर(बी-II)]
डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 22nd October, 2010

S.O. 2895.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT-2/31 of 2001) of the Central Government Industrial Tribunal/ Labour Court-2, Mumbai now as shown in the Annexure, in the Industrial dispute between the employees in relation to the management of Syndicate Bank and their workman, which was received by the Central Government on 08-10-2010.

[No. L-12011/245/2000-IR(B-II)]

D. S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 2, MUMBAI

PRESENT

A. A. LAD, Presiding Officer

Reference No. CGIT-2/31 of 2001

Employers in Relation to the Management of
Syndicate Bank

The Deputy Gen. Manager,
Syndicate Bank,
Zonal Office, Maker Tower 'E'
2nd Floor, Plot No. 85, Cuffe Parade,
Colaba, Mumbai-400 005

...First Party

V/s.

Their Workmen
The President,
Syndicate Bank Employees Union,
through Workman Mr. Vinod Kumar Amin,
1-A, Palm View, Plot No. 8, Amritvan-I,
Near Ciba, Goregaon (East),
Mumbai-400 063

... Second Party

APPEARANCES :

For the Employer : Mr. S. V. Alva,
Advocate.

For the Workman : Mr. R. D. Bhat,
Advocate

Date of reserving the Award : 30-08-2009

Date of passing the Award : 07-09-2010

AWARD PART-II

The Government of India, Ministry of Labour by its Order No. L-12011/245/2000-IR(B-II) dated 12-2-2000 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :

“Whether the action of Syndicate Bank by dismissing Shri Vinod Kumar from the services of the Bank is justified and proper ? If not then what relief the workman is entitled to ?”

2. Workman Vinod Kumar Amin was engaged as Clerk in the management Syndicate Bank in the year 1977. Vide Claim Statement (Exhibit-6) workman pleaded that he was an active union member and that due to union activities, bank had grudge against him. It is averred that workman while working as Clerk-cum-Typist in Khar Branch though he had put 22 years unblemished service, he was issued

charge sheet dated 23-7-1998 alleging that he had floated the firm M/s. Amigo Industries with one of his brothers as partners only to circumvent the provision that he cannot be partner and was financially involved in the affairs of the firm while in service of the bank thereby committed grave misconduct attracting clause 19.5 of the Bi-partite Settlement. It is averred that because of differences in partners the manufacturing process of the firm was stopped and that though he had not taken any interest in the business of the firm, he was alleged to have involved in the business, which he had replied on 8-9-1998. However not satisfied with the reply the bank initiated domestic inquiry against him through the Inquiry Officer Mr. Acharya. It is contended that the domestic inquiry conducted against him was in violation of Principles of Natural Justice and fair play and that findings recorded by the Inquiry Officer are perverse. It is contended, Mr. Acharya who was Manager (IR-Cell) was active office-bearer of Syndicate Bank Officers Association holding the position as Zonal Council Member and that workman being an active union member of the Aware Staff, was biased against him, therefore, he had requested the Disciplinary Authority to change the Inquiry Officer Mr. Acharya, however, management turned down his request and thereby prejudice had caused to him. It is further contended that the bank though did not examine the witnesses the Inquiry Officer relied on the documents in connection with those witnesses as if, contents therein were gospel truth. It is pleaded that with undue haste inquiry was completed and that the findings of the Inquiry Officer holding him guilty are not based on the evidence and the documents led before him, consequently, findings are perverse. It is averred that inquiry as a whole vitiates, however, despite that the Disciplinary Authority based on the report dated 8-7-1999 dismissed the workman by the order dated 25-9-1999. It is contended workman had assailed the said dismissal before the Appellate Authority, however, his appeal was turned down on 6-12-1999. It is contended since the inquiry vitiates the management's action of dismissing the workman is unjustified, and therefore, workman be reinstated in service with full back wages.

3. Management Bank resisted the claim of workman by filing Written Statement (Exhibit-11) contending that workman while working at Nana Chowk Branch carried out business in the name of M/s. Amigo Industries, and therefore, he was charged vide charge-sheet dated 23-7-1998 for engaging in trade or business outside the scope of his duties under clause 19.5 (a) of the Bipartite Settlement and that inquiry was conducted on the charges. It is averred that Inquiry Officer giving sufficient opportunity, by the report dated 8-7-1999 held the workman guilty and

that considering the proved grave charges he was dismissed by the order dated 25-9-1999 which was endorsed by the Appellate Authority. It is averred in detail that workman carried on the business in the name of Amigo Industries who were the constituent of Jogeshwari Branch Mumbai and that on 3-5-1993 the said partnership firm opened a Current Account No. 948 with Jogeshwari Branch and availed certain credit facilities with the said branch since 1994 and that liabilities aggregating to Rs. 58 lacs had caused to the books of the bank without adequate securities to fall back upon. It is averred one of the partners Mr. Kalmadi who is the brother of the workman, had furnished address of Goregaon (East) which is the address of the firm and also residence of the workman and that when the firm approached the bank for sanction of credit facilities workman approached the bank for getting the credit facilities sanctioned and invested in the business of the said firm and also involved himself in the maintenance of the books, purchase etc. which circumstances indicate that the workman floated the said firm with his brother which was against the provisions of the Bipartite Settlement. It is pleaded Mr. Acharya conducted fair inquiry with the assistance of the Presenting Officer Mr. Prasad and Defence Representative Mr. Kini. It is contended Inquiry Officer with detailed reasons appreciating the evidence recorded the findings, and therefore, the inquiry does not vitiate consequently cannot be interfered by this Tribunal. Bank, therefore prayed to dismiss the claim of the workman.

4. By rejoinder (Exhibit 12) workman reiterated the recitals in the Claim Statement denying the averments in the Written Statement.

5. On the basis of the pleadings issues were framed at Exhibit 15. Out of them Issues of fairness of inquiry and perversity of findings were taken as a preliminary issues and in that context workman Amin filed affidavit (Exhibit 16) in lieu of Examination-in-chief and closed oral evidence vide purshis (Exhibit 20). In rebuttal, Mr. Acharya Chief Manager filed affidavit (Exhibit 21) and the Management Bank closed evidence vide purshis (Exhibit 22). Said Issues were decided by my Ld. Predecessor by passing Part I Award on 28th May, 2003 holding enquiry was not fair and proper as well as finding perverse.

6. Thereafter evidence was led by both to justify the action of termination. After recording the evidence led by both this Tribunal by Part II Award dated 3-9-2009 observed action taken by the Management is not just and observed to quash and set aside and directed Bank to reinstate the concerned workman with benefits of back wages and continuity of service.

7. Thereafter Bank challenged the said order by filing Writ Petition No. 1271 of 2010. While disposing off the said

Writ Petition Hon'ble High Court passed the following order :

- “(i) the impugned order dated 30th September, 2009 passed by the Central Government Industrial Tribunal No. 2, Mumbai (CGIT-2) in Reference No. CGIT-2/31 of 2001 is quashed and set aside and the matter is remanded back to the CGIT-2 for fresh hearing and orders ;
- (ii) the CGIT-2 shall after hearing the parties afresh but without allowing the parties to lead any further evidence, dispose of the Reference No. CGIT-2/31 of 2001 on or before 13th September, 2010;
- (iii) No adjournment/s shall be sought on behalf of the Petitioner or the Respondents before the CGIT-2;
- (iv) The parties shall appear before the CGIT-2 with a copy of this order duly authenticated by the Personal Assistant of this Court on 25th August, 2010 at 11.00 a.m. and obtain necessary directions;
- (v) Writ Petition is accordingly disposed of with no orders as to costs.

8. So as per these directions to this Tribunal is concerned said direct to dispose off the reference on or before 13-9-2010 without allowing parties to lead any further evidence. Besides said order reveals that it did not touch the order passed by my Ld. Predecessor which was passed in Part I Award dated 20-5-2003 in which my predecessor observed enquiry was not fair and proper and finding perverse.

9. So now before me is the point of remaining Issue i.e. point of Issues which is concerned with the action taken by the Management in dismissing the concerned workman and to decide whether it is justified and proper and what relief require to be given to the concerned workman. Those Issues are at Serial No. 3 and 4 of Exhibit 15 which I reproduce as follows and answer against them.

ISSUES	FINDINGS
3. Whether the action of Syndicate Bank by dismissing Shri Vinod Kumar from the services of the Bank is justified and proper ?	No
4. What relief Mr. Vinod Kumar is entitled to ?	As per order Passed below.

Issue Nos. 3 & 4 :

10. As observed by Hon'ble High Court parties are not permitted to lead any evidence. I heard arguments of both on the point of action taken on workman i.e. punishment given to the workman of dismissal. While arguments were going on the Ld. Advocate for the Bank submitted that enquiry was fair and proper and finding were not perverse. On that Ld. Advocate for the workman submitted that, the observations of this Tribunal regarding fairness of enquiry and perversity of the finding as observed in Part I Award dated 20-5-2003 are not disturbed. Even according to me though the directions given by the Hon'ble High Court, more precisely, regarding para-1 of the order has not disturbed which is on the point of enquiry and perversity of the finding and it appears that, the finding given by this Tribunal on fairness of enquiry and perversity of the finding of the enquiry officer are maintained which implies that, enquiry was not fair and proper and findings were perverse. On that the Ld. Advocate for the Bank submit that, there was ample evidence before the Enquiry Officer to hold the concerned workman guilty of the charge of misconduct i.e. charge of indulging in trade or business outside the scope of his duties which fall under clause 19.5(a) of Bipartite Settlement. He submit that, number of witnesses were examined by the Bank before the Enquiry Officer, number of documents were verified by him and after going through that the Enquiry Officer observed concerned workman guilty of the charge of misconduct and observed he committed said act which is gross misconduct by indulging himself in the business of the firm which is nothing but engaging in trade or business outside the scope of duties and it is an act which is as per Clause 19.5 (a) of the Bipartite Settlement. Whereas Ld. Advocate for the workman submit that, enquiry was not fair and proper and enquiry finding were perverse. Said observations were maintained by Hon'ble High Court and are not disturbed anywhere. Evidence led by the Management i.e. Bank does not prove that, concerned workman engaged himself in trade or business outside the scope of his duties and has committed misconduct as alleged which falls under Clause 19.5 (a) of Bipartite Settlement. He submit that, charge of engaging in trade or business of the firm are not proved by the Bank. No evidence of any type was before the Enquiry Officer. Even Enquiry Officer did not consider the investigating report of witness Satish Kamath who is examined at Exhibit 33 by the Bank. Even he admit that, his report was not submitted before the Enquiry officer and was not considered by the Enquiry officer while holding concerned workman guilty of the charge of misconduct. Even said witness admit that, he did not offer witnesses for cross examination which he examined in the investigation. Even Enquiry officer is not examined in this case before

this Tribunal nor his report is submitted for perusal. Bank closed evidence by filing closing purshis at Exhibit 45. According to him nothing is there to hold the concerned workman guilty of the charge of misconduct and it lead to presume that, he was engaged in business which was outside his duties. He also submit that, he is unemployed and he is entitled for reinstatement with benefit of back wages and continuity of service. The Ld. Advocate for the Bank submit that, the concerned workman is not entitled for reinstatement nor back wages since action taken by the Bank is just and proper and does not require any interference.

11. In that respect if we peruse the evidence which is on record we find that, the Enquiry Officer is not examined in this case. It is to be noted that, Investigating Officer who conducted investigation in respect of the involvement of the concerned workman in availing credit facility extended to M/s. Amigo Industries from Jogeshwari Branch of the Bank is examined at Exhibit 33 who states in the affidavit that, during the course of the investigation he seized certain documents from Jogeshwari Branch, copies of which were produced in the enquiry. He further states that, he found that Saving Bank Account No.5009 was opened in the name of Shri Ganesh Gupta which was introduced by the 2nd Party workman, having residential address of 2nd Party workman. Said affidavit further says that another Account No.5010 was opened in the name of Premnath Kalmadi which was also introduced by the 2nd Party workman and the address of his was given the residential address of the 2nd Party. He also states that, investigation revealed that, transaction in Saving Bank Account No.5009 of Ganesh Gupta has been transferred to Current Account of M/s. Amigo Industries. He further states that, in the investigation he found that, the S.B. Account No.5010 of Premnath Kalmadi of which amount was transferred to Current Account of M/s. Amigo Industries on various occasions in various accounts. He states in the affidavit that, at the initial stage, he revealed opening of Current Account of M/s. Amigo Industries at Jogeshwari Branch of which Premnath Kalmadi and Rajesh Singh were the partners. He further states in the said affidavit that, in the investigations he recovered documents regarding various transactions of Account No. 5/96 of Jogeshwari Branch and noted various transaction in Account No. 5/96 of M/s. Amigo Industries at Bank's Jogeshwari Branch and noted that, that, Mr. R. B. Singh, one of the Partner of M/s. Amigo Industries, has written a letter addressed to the Manager of Bank's Jogeshwari Branch. He further states in the said that, Mr. R.B. Singh one of the partners of M/s. Amigo Industries who had written a letter addressed to the Manager of the Jogeshwari Branch. He further states in the said affidavit that, said Partner R.S. Singh in the letter dated 18-11-1996 addressed

to the Jogeshwari branch again alleged that, the records pertaining to M/s. Amigo Industries is in the custody of the 2nd Party Workman. He also referred in the affidavit that, in the investigation letter dated 24-5-1996 written by 2nd Party to R.S. Singh was recovered along with the letter dated 6-11-1996 of M/s. Parag Textiles addressed to 2nd Party workman. He also states that, in the investigations, he noticed, copies of Order Book of Nana Chowk which shows residential address of the concerned workman and financial statement of M/s. Amigo Industries. He also states that on verifying the financial statement of M/s. Amigo Industries as on 30-9-1995 and 31-3-1996 name of the concerned workman was included as unsecured creditor of the firm. He further states that, in the investigation he noted that, letter dated 3-2-1997 was written by R.S. Singh addressed to the Manager of Jogeshwari Branch alleging that, 2nd Party is responsible for the non-functioning of M/s. Amigo Industries. He further states that, in the investigation he recorded statement of 2nd Party, Vinod Kumar Kalmadi and he also recorded statement of R.S. Singh. He further states in the affidavit that, in the investigation he recovered letter dated 28-11-1997 of M/s. Parag Textiles which indicates that, 2nd Party was involved in the firm of M/s. Amigo Industries.. He also states about letter dated 2-12-1997 of M/s. I.M.A. Builders which indicates that, they had negotiations with 2nd Party workman with regard to supply of the machineries to M/s. Amigo Industries he found that, the said Builder was shielding the concerned workman. He also referred to letter dated 12-9-1994 and perused the contents of it which facilitated M/s. Amigo Industries for various credit facilities and on that he contends that, the concerned workman is guilty of the charge of misconduct holding him guilty of the misconduct in engaging himself in the trade or business activities which are outside the scope of his duties and it falls under Clause 19.5 of Bipatriate Settlement and thereby committed misconduct. In the cross this witness states that, he is conversant with the distance. He admit it is 70 Kms. is the distance from Bombay Central to Tarapur. He states that, Western Railway is the only facility to reach that destination. He states that, Parag Industry is situated at Badlapur which is on the Central Railway. He states that, it has same distance from Bombay Central. He states that, Railway is the only facility to reach the destination. He states that, Parag Industry is situated at Badlapur which is on the Central Railway. He states that, both Industries are at same distance from Bombay Central. He admit that, 2nd Party was working at Nana Chowk Branch of Bank during that time and was residing at Goregaon. He states that, said distance can be traveled by Central Railway only. He states that, during September/October, 1997 he received instructions from Vigilance Branch to enquire about involvement of 2nd Party in the business of Amigo

Industries. He further states that, directions were given to him to find out where there is involvement of 2nd Party in the business of M/s. Amigo Industries. He states that, he visited Nana Chowk Branch during October, 1997 and recorded statement of the concerned workman, gone through his Saving Bank Account as well as his Staff card of that particular period. He states that, he has also gone through the leave account of the concerned workman and found that, he was sanctioned permitted leave. He states that, if one has to visit Tarapur or Badlapur it will take whole day from Nana Chowk and for that one has to take leave. He states that, he has no evidence to prove that, 2nd Party has taken frequent leave. He admit that, there was no instructions not to introduce any relatives in the Saving Bank Account. He admit that, there is nothing wrong in introducing Ganesh Gupta and Premnath Kalmadi to open their Saving Bank Account with the Bank. He also admit that, he has no evidence to show that, 2nd Party workman was operating those accounts. He admit that, Amigo Industries is a partnership firm consisting of Premnath Kalmadi and Mr. R.S. Singh who are the partners of the said firm. He states that, the said partnership firm was started in 1993 and stopped in 1996. He admits that, Ganesh Gupta and Premnath Kalmadi are the brothers of 2nd Party. He admit that, in Exhibit M-10 which is at page 117 of Exhibit 10 in which 2nd Party workman has stated that, he cannot explain the accounts. He admit that, page 118 of Exhibit 11 was available with Jogeshwari Branch. He admit that, he did not enquire as to how the Jogeshwari Branch got it. He states that, other partner of Amigo Industries is R.A. Singh who gave address of Parag Industry. He further states that, he met R.A. Singh in October, 1997. However, at that time he states that, he did not enquire with him as to how R.A. Singh received Exhibit M-11. He admit that, there was dispute between him and the 2 partners. He admit that, he was not aware of the complaint filed by Premnath Kalmadi against R.S. Singh. When question was put to him, whether he has original of Exhibit M-11 to which he replied that, "he did not remember". He admit that, signature in Exh.M-11 is not legible. He admits that, he considered M-11 as a authentic document in the investigation and gave finding on the basis of said. He admits that, he has not considered the possibility of fabrication of document by R.S. Singh. He states that, he cannot give opinion regarding signature of Exh.M-11 and Exh.18 whether both are similar or otherwise. He states that, he has not made any observations regarding Exhibit M-18 and 11. He states that, on the basis of Exhibit 18 he reported that, Mr. Vinod Kumar i.e. 2nd Party is concerned and involved in the affairs of Amigo Industries. He states that, he had discussions with signatories of Exhibit M-18. However, he admits that, he has not recorded statement of anybody on that point. He admits that, except Exh.M-18 no other evidence like visiting

cards or letter heads of the Parag Industry were collected to show that, Parag Textiles exists. When question was put whether he enquired with Mr. Shekhar or Shetty about writing of Exhibit M-18 on which he replied, he do not remember. He states that, he talked with Jageja about Exhibit M-18. He states that, he had not recorded statements of signatories of Exhibit M-20. He admit that, he has no evidence to show that, he talked with signatories of Exh. M-20. He states that, one Kamlakar T. Kadam is signatory of M-20. He states that, he has not enquired with Kamlakar as to why he wrote said letter to Chief Vigilance Officer who sanctioned loan to Amigo Industries. Even he admit that, he did not try to find out the officer, who granted loan to Amigo Industries. He admit that, there is no bar or restriction to the employees of Syndicate Bank to invest money with relatives or friends. He admit that, his report was not taken in the enquiry proceedings. Then Management examined one more witness Rajendra S. Singh, the other Director of Amigo Industries at Exhibit 36 who states regarding formation of M/s. Amigo Industries, involvement of 2nd Party workman and correspondence made in that connection. In the cross this witness of the Management states that Partnership Deed is in writing of Amigo Industries between him and Premnath Kalmadi. He states that, 2nd Party workman, is maintaining accounts. However, he admits that, he has no evidence on that point. He admits that, he know Ganesh Kalmadi who is brother of Vinod Kumar i.e. 2nd Party workman. He states that, Ganesh Kalmadi was introduced by Vinod Kalmadi as his nominee in his absence. He admit that, Ganesh Kalmadi was looking after the business and was taking decisions in the absence of Vinod Kalmadi. He admit that, factory is situated at Tarapur which is called Boisar Area. He admit that, he was visiting factory every Saturday and was staying there till Thursdays evening. He states that, 2nd Party workman was visiting factory on number of occasions and was staying there for whole day. He states that, 2nd Party, workman, was supervising the work of the factory whenever he visited. He admit that, there is no writing to show that, 2nd Party workman, visited Factory and supervised the work at any point of time. When question was put to the said witness by Advocate of the 2nd Party, whether 2nd Party workman, was taking leave while attending factory on which he says "God knows". He admit that, he is aware of Power of Attorney given to Ganesh Kalmadi. He admits that, Exhibit 10 is the copy of his letter and admit signature below it. He admit that, entire loan taken from Bank for factory was not paid. He states that, Bank took action about the recovery of the amount. He admits that, he has not paid his liability. Lastly Management examined another Partner Divakar Karkeria at Exhibit 43 who speaks about his acquaintance with 2nd

party, workman, and role played by 2nd Party in making investment in Amigo Industries and functioning of it. In the cross this witness states that, he is 20% partner of M/s. Amigo Industries. He states that, he has taken loan from the Bank and invested it with Amigo Industries. He states that, he became partner of Amigo Industries in 1988. He states that, before he became partner of M/s. Amigo Industries it was not functioning. He states that, there was only structure of M/s. Amigo Industries at that time. He states that, it is not true that factory was closed in 1996 and thereafter he became partner in 1998. On that Management i.e. Bank closed evidence by filing closing purshis at Exhibit 45.

12. 2nd Party workman, in response to the evidence led by Bank to justify its action of termination, filed his affidavit at Exhibit 48 where he states that, he worked with the Bank as a Clerk. He states that, he was not visiting Amigo Industries and was not concerned with its activities. In the cross, he states that, he was Committee Member of the Syndicate Bank Employees Union. He admit signatures from pages 71 to 74 of Exhibit 10. He admit that, M/s. Amigo Industries was having account in Syndicate Bank at Jogeshwari. He admit that, address of M/s. Amigo Industries is of his residence. He states that, Saroja V. Amin is his wife. He admit that, she has invested amount in M/s. Amigo Industries. He states that, M/s. Amigo Industry was engaged in business of chemicals. He admit that, Mr. Premnath Kalmadi and Ganesh Gupta are his brothers and were residing with him at Bombay address. He states that, he did not work with any Company after termination. He admit that, he did not apply with Bank for his employment. He denies that, he was dismissed since he was engaged in conducting affairs of M/s. Amigo Industries. His case is that, he was terminated on a number of allegations, including his association with Union and officers Association. Then he examined his brother Ganesh Kalmadi at Exhibit 51 who is Director of M/s. Amigo Industries and closed evidence by filing closing purshis at Exhibit 52.

13. Heard both after remand of the Reference. Besides oral arguments, workmen filed gist of Arguments at Exhibit 64 and list of rulings at Exhibit 61 and Management filed Synopsis of arguments along with list of rulings at Exhibit 62.

14. Now we have to see, what the charge was levelled against the concerned workman? Charge leveled against the concerned workman was he involved in the activities of M/s. Amigo Industries which is a partnership firm of which brothers of 2nd Party viz. Premnath Kalmadi and Ganesh Gupta are the partners. Charge is that, Account of the said firm is with the Jogeshwari Branch of the Bank and

certain credits were obtained by the from Jogeshwari Branch of the Syndicate Bank from 1994 which went upto Rs. 58 lakhs and the said amount is struck to books without adequate securities. It is also alleged that, partner of the firm Premnath Kalmadi is brother of 2nd Party concerned workman and other partner of the firm are known to 2nd Party workman. Charge is that, they approached the Bank at Khar Branch by furnishing address of the residence of 2nd Party concerned workman in which 2nd Party concerned workman was residing. It is alleged that, firm approached the Bank Branch for sanction of credit facility and it is alleged that, 2nd Party also approached the Branch for getting credit facility to M/s. Amigo Industries. It is also alleged that, 2nd Party, concerned workman, invested in business of M/s. Amigo Industries. It is also alleged that, 2nd Party was maintaining the account books, preparing orders and purchase of material for factory. It is also alleged that, he was purchasing machineries for M/s. Amigo Industries and had made efforts to sale machinery of the firm. On the basis of the said it is alleged by the Bank that, by said, he committed act of gross misconduct which fall within the meaning of Clause 19.5 of the Bipatriate Settlement and therefore, Bank charged him with engaging in trade or business outside the scope of his duties which fall under Clause 19.5 of the Bipartite Settlement.

15. So the charge leveled against the concerned workman by charge sheet dated 23-7-1998 is of engaging in trade or business outside the scope of duties by writing accounts, giving orders for purchase and trying to dispose off the machinery of M/s. Amigo Industries.

16. The evidence referred above nowhere shows that, 2nd Party is concerned either remotely with the day to day activities of M/s. Amigo Industries. Even it does not reveal that, he is handling the day to day activities of the Amigo Industries or controlling the activities of M/s. Amigo Industries by any means. Even evidence remotely does not connect 2nd Party with the activities of M/s. Amigo Industries. It is fact that, his brothers Premnath Kalmadi and Ganesh Gupta are engaged in activities of M/s. Amigo Industries with other partner R.A. Singh. It is stated that, 2nd Party workman, deny that, he was looking after the activities of M/s. Amigo Industries and was visiting the factory to control its activities.

17. Now, we have to see whether there is iota of evidence with the Bank to show that, 2nd Party is concerned with the activities of M/s. Amigo Industries or was having control over it? For that, Bank has led evidence of Satish Kamath at Exhibit 33 who made investigations and submitted report. However, this Kamath admit that, his report was neither considered by the Enquiry Officer nor it

is part of the enquiry proceedings. Even said Satish Kamath admit that, he has not examined any witness and offered those witness for cross to 2nd Party, concerned workman, before relying on the evidence of which he came across during the investigation and even this Kamath is unable to explain how he recovered documents from Jogeshwari Branch and how Jogeshwari Branch received those. Even he is unable to depose about signature on various documents like Exhibits 18 and 11 and even unable to state who is author of those and who is signatory of said documents. Even he admit that, he has no evidence to show that Parag Industries exists to which M/s. Amigo Industries was supplying colour to Parag Textiles. Even he unable to connect 2nd Party with the activities of Amigo Industries. He admit that, he simply rely on Exhibit M-18 and that is the only evidence with him. He admit that, except M-18 he has no other evidence to show that, 2nd Party is connected with the activities of M/s. Amigo Industries and Parag Industries. Even he admit that, he has not compared the writing of M 18 and M-11 and admits that, he has not bothered to compare/verify signatures of M-18 and M-11 and even he admit that, he has not considered the possibility of signing Exh. M-11 and M-18 by different persons.

18. Here it is to be noted that, original of M-11 and M-18 is not produced before this Tribunal upto this stage and even I made inquiry with the Advocate for the Bank, and asked him to produce original to verify it but till this moment no efforts are made by the Advocate for the Bank to produce the original to ascertain the reality of Exhibits M-11 and M-18 and signatures of M-11 and M-18. Besides the Xerox copy available with this Tribunal are produced by the 2nd Party with Exhibit 10. In this matter it is pertinent to note that, except documents listed in Exhibit 13 which consist of 3 pages, no other documents are produced by the Bank. Against that, 2nd Party produced documents with list at Exhibit 10 which consists Xerox copies. On perusal of those one will find that, most of the pages of Exhibit 10 are not legible and readable more precisely from page 116 onwards of Exhibit 10. Even while arguments were advanced by both, after remand of the matter, and in view of the directions given by the Hon'ble High Court in Writ Petition No. 1371 of 2010, no any documents are produced by the Bank though I asked the Bank to produce the originals. In fact it was duty of the Bank to produce the original of enquiry and other documents. In fact onus is on the Bank to justify its action of termination and to show that, 2nd Party is concerned with and he did all those activities which were outside the scope of his duties.

19. Besides it is admitted fact that, 2nd Party worked only at the level of Clerk. It is not that, he was officer of the Bank. One has to consider his position that,

he was a Clerk. Besides only Witness of the Bank also admit that, there is no wrong in introducing relatives with the Bank and helping them to have their Saving Bank Account with the Bank. Even witness of the Bank admits that, there is no bar in investing the amount by the employee of the Bank with other business. This witness specifically admit that, there is no restriction from the Bank to introduce any relative in the Saving Bank Account. Even he admits that, there is nothing wrong in introducing Ganesh Kalmadi and Premnath Kalmadi to open their Saving Bank account. He admits that, he has no evidence to show that, 2nd Party was operating 2 Saving Bank Accounts. He admits that, he did not come across leave taken by 2nd Party to visit M/s. Amigo Industries which is at a remote place. He admit that, 2nd Party has taken permitted leave. He admits that, there was no evidence to show that, 2nd Party was visiting M/s. Amigo Industries which is at Tarapur. He admits that, if one has to visit that place one has require to take leave. He admit that, 2nd Party workman has not taken more than permitted leave. Even he did not collect any evidence regarding visit of the concerned workman to M/s. Amigo Industries. Even no evidence is lead to show that, 2nd Party took part in particular transaction of M/s. Amigo Industries and his decision was followed by M/s. Amigo Industries.

20. Besides possibility pointed out by the 2nd Party's Advocate that, false allegation or false complaint might have been made by R.A. Singh who is another partner of M/s. Amigo Industries cannot be ruled out since complaints were written to Chief Vigilance Officer and not to the Branch or Head Office. Besides author of the complain Kadam was not examined by Investigation offered nor by Enquiry Officer and offer to cross to 2nd Party. Even statement of witnesses were not recorded by the Investigating Officer and evidence was not recorded by him and offered for cross to the 2nd Party workman, while submitting his report. And above all, report of the Investigating Officer was not placed in the enquiry and was not considered by Enquiry officer. Before us is the evidence of Investigating Officer only. Here it is to be noted that, Enquiry Officer was not examined and no other evidence is produced by the Bank except evidence of Investigating Officer which evidence was not considered in the enquiry. The evidence led by Management is of R.A. Singh against whom 2nd Party, concerned workman succeeded in showing enmity and succeed in proving all the allegations as false which were made R.A. Singh, other partner of the firm who was not happy with the activities of M/s. Amigo Industries. The even evidence of another partner Divakar Karkeria, who is examined does not throw any light to show that, 2nd Party workman, was writing accounts and taking part in the decisions of M/s. Amigo

Industries. Charge levelled of writing books of accounts, taking part in the decisions of M/s. Amigo Industries and charge of purchasing the articles and of selling the material to others are concerned, are not proved at all.

21. In this scenario if we consider the evidence led by Management and the stand taken by the 2nd Party, by no stretch of imagination, it cannot be concluded that, 2nd Party workman was engaged in trade or business outside the scope of his duties. As stated above there is no evidence of any type on record produced by the Management to show that, he ever visited M/s. Amigo Industries, supervised its work and took part in taking decisions in running M/s. Amigo Industries, much less no evidence of any type is led by Management to show that, he was responsible for taking decision regarding functioning of M/s. Amigo Industries or deciding its policy and its future. Apart from that, as alleged by the Management that, he took part in writing accounts, took part in the day to day activities of running M/s. Amigo Industries and was responsible for deciding policies of it is concerned, nothing is produced and no type of any evidence is led on that point to prove that, he was part of the decision making authority or remotely concerned with the activities of M/s. Amigo Industries. Simply because his two brothers viz. Ganesh Gupta and Premnath Kalmadi were the Directors of M/s. Amigo Industries and only because they were staying with him or his address was utilized by them as address of the Directors of M/s. Amigo Industries, it cannot be said that, he indulged in running said M/s. Amigo Industries or he did the activities which were outside the scope of his duties. Nothing is shown by the Bank that, the role played by the 2nd Party is against the policy of the Bank. Even witness examined by the Bank admit that, there is nothing wrong in introducing the brother to open Saving Banks Account and nothing is wrong in investing the amount by his relatives. In my considered view, for the reason that, he is relative of Directors of M/s. Amigo Industries he cannot be held responsible and cannot be presumed for that as he is guilty of the misconduct as alleged by the Bank.

22. Number of citations are referred by the Advocate for the 2nd Party, more precisely citation published in 1999 (1) I.L.N page 7, while deciding the case of Ms. Neeta Kaplish vs. Presiding Officer, Labour Court and Anr., it is observed by Apex Court that, when enquiry being not as per the principles of natural justice and in that case remedy open to the Management is to justify its action of leading fresh evidence. According to 2nd Party's Advocate no fresh evidence is led by the Management to justify its action. As stated above, at the beginning of the judgment, Part I of the Award passed by this Tribunal is not disturbed by the

Hon'ble High Court, in which my predecessor observed enquiry not fair and proper and finding perverse. Here evidence which is discussed above is not evidence which shows that 2nd Party involved in the running of M/s. Amigo Industries and it is his act out of scope of his duties and justify the action of the Management as expected. Even he referred to citation published in 2002(3) LLN 206 where our Hon'ble High Court while deciding the case of Gope Laxmichand Badlani vs. Oriental Bank of Commerce, New Delhi and Ors. observed that, in the domestic enquiry without offering witnesses for cross and without obtaining the comments of the charge-sheeted employee, on the document, said evidence cannot be read as an evidence. According to 2nd Party's Advocate, Investigating Officer blindly relied on the documents which he came across in the investigation and said investigation report is not considered by the Enquiry Officer. Said Investing Officer did not offer witnesses for cross which he examined in his investigation and did not offer the documents to 2nd Party for comments on which he relied to conclude that, the 2nd Party workman, is guilty of the charge of misconduct. Besides in the above judgment it is also observed that, strict law of evidence may not apply to domestic enquiry. It is an elementary principle that, no such document can be relied upon against a party without giving him an opportunity of cross examining the author of the document which were referred in the report. He also placed reliance on the citation published in 2009 II LLJ (SC) page 21 where Apex Court while deciding case of Roopsingh Negi vs. Punjab National Bank and Ors. observed, where inference drawn by Enquiry Officer is not supported by evidence, in that case, order of Disciplinary & Appellate Authority need not be maintained and require to set aside with directions to reinstate the employee with benefits of full back wages and continuity of service. Lastly he referred to citation published in (2010) 3 SCC p.192 in case of Harijan Inder Singh vs. Punjab state Warehousing Corporation where it is observed that, when termination is challenged on validity and legality in which Labour Court observed termination unlawful, Hon'ble High Court, observed that, in that case relief of back wages and continuity of service is a must.

23. Against that, Advocate for the 1st Party referred to citations published in 1969 II LLJ page 755 where Apex Court while deciding the case of Delhi Cloth and General Mills Co. Ltd. and Ors vs. Its Workers and Ors., observed that, misconduct falling under several of heads of misconduct may involve no direct loss or damage to the employer, but would render the functioning of the establishment impossible or extremely hazardous. It is also observed that, one may also envisage several acts of misconduct not directly involving the establishment in any

loss, but which are destructive of discipline and cannot be tolerated. No one can comment on that observation, since it is expected from the worker who is working with the employer who has to take care of the business of the employer and he is expected to be loyal with employer and his business. It cannot be done by employee which is hazardous to the business of the Management which is causing loss to it cannot be tolerated. Here nothing is shown by the Management how 2nd Party did act which is injurious to the business of the Bank and to justify its action and able to prove in what manner role played by the 2nd Party workman affects on its business. At the most loan taken by M/s. Amigo Industries which is of 58 lakhs or so which is struck up may be cause but can be recovered by taking appropriate remedy in that connection. Even it is case on record that, recovery suit is filed by the Bank and it is pending and as said proceeding is independent proceeding where 2nd Party is not Party to the said proceedings as it is admitted by the Management. In my considered view for that, 2nd Party workman, cannot be held responsible and ruling produced by 1st Party published in 1969 II LLJ page 755 of the Apex Court in the case of Delhi Cloth and General Mills Co. Ltd. and Ors vs. Its Workers and Ors. does not help 1st Party in that way. He also referred to citation published in 1998 I CLR page 1093 of Apex Court in the case of Union Bank of India vs Vishwa Mohan, citation published in 2006 ICLR page 39 (SC) of Apex Court in the case of U.P. State Brassware Corporation Ltd. & Anr. vs. Udai Narain Pandey and citation published in 2009 II CLR page 723 of Apex Court in the case of Union of India and Ors. vs. Bishamber Das Dogra about which no quarrel can be raised as these are right at their places. However, those cannot be applied here as the facts in this case are different than the facts in those above referred cases.

24. So if we consider all this coupled with the case made out by both, 1st Party fail to establish that 2nd Party involved in the activities of M/s. Amigo Industries and did act which is outside scope of his duties. I am of the view that, action of termination taken by the Bank is not just and it require to set aside with directions to reinstate 2nd Party.

25. Now question is of back wages. When 2nd Party succeeds in showing that, he is not concerned with activities of M/s. Amigo Industries and action taken by the Bank is not legal and proper, then we have to presume that, 2nd Party is in the employment. Here we have to presume that, he is getting salary with benefits. 1st Party failed to prove that, Bank has reason to terminate 2nd Party and termination is just and proper. On the contrary ground on which Bank terminated his services on the charge of misconduct or engaging

himself in business which was outside the scope of his duties is concerned, is not proved, by the Management. Hence, action taken by the Bank is require to be treated as not just and proper.

26. When action is not proper, then 2nd Party must get wages or salary till he legally entitled to work with the Bank. Much capital is made by the Bank that, 2nd Party is in the gainful employment but nothing is proved by 1st Party to show that he is in the employment. In my considered view, in the above circumstances one cannot accept that, employee should beg for his survival and prove that he is beggar or he is totally dependent on others. It is to be noted that, his two brothers were once upon a time, Directors of the Company. It is to be noted that, 2nd Party is having his house at Bombay. It is to be noted that, his two brothers are there and if they are taking care of the 2nd Party, concerned workman, and if 2nd Party is not begging for his survival, it cannot be said, he is not entitled to back wages.

27. Besides, one has to consider it is not his fault for which he is out of job and for which he did not work for the Bank. On the contrary it is the Bank who compelled him to remain away from his job, duties and deprive to get his wages or salary which he might have got as if he is in the employment of the Bank. Here it is act of the Bank which compelled him to stay away from his job and was deprived about the salary which he might have got if at all he would have been in the employment of the Bank. So according to me, 2nd Party is entitled to full back wages. Since it is fault of the Bank which unnecessary held 2nd Party guilty of the charge of misconduct treating him that, he is engaged in other activities which were outside the scope of his duties, I conclude that, the 2nd Party is entitled for full back wages and continuity of service. Hence, the order :

ORDER

- (a) Reference is allowed;
- (b) Termination effect on 2nd Party Dated 25-9-1999 is quashed and Set aside;
- (c) 1st Party Bank is directed to reinstate 2nd Party Vinod Kumar Amin on his post with benefits of back wages and continuity of service from 25-9-1999;
- (d) In the circumstance of the case there will be no order as to its costs

Mumbai,
7th September, 2010

A. A. LAD, Presiding Officer

नई दिल्ली, 25 अक्टूबर, 2010

का.आ. 2896.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार साऊथ सेन्ट्रल जोन कल्चरल सेन्टर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या सीपीआईटी/एनजीपी/84/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-10-2010 को प्राप्त हुआ था।

[सं. एल-42011/45/2006-आईआर(डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 25th October, 2010

S. O. 2896.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No CGIT/NGP/84/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of South Central Zone Cultural Centre and their workmen, which was received by the Central Government on 25-10-2010.

[No. L-42011/45/2006-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE SHRI J. P. CHAND, PRESIDING
OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/84/2006

Date: 12-10-2010

Petitioner/Party No. 1:

Smt. Sandhya Tai Wd/o Late
Narayan Tembhurn,
R/o Surendragarh, Near Seminary
Hills, Mount Everest School,
Nagpur - 6

Versus

Respondent/Party No. 2:

The Director,
South Central Zone Cultural Centre
(SCZCC), Opposite of MLA Hostel,
Civil Lines,
Nagpur.

AWARD

(Dated 12th October, 2010)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government has referred the industrial dispute between the employers in relation to the management of South Central Zone Cultural Centre (SCZCC) and their workmen for adjudication as per letter No. L-42011/45/2006-IR (DU) dated 31-10-2006, with the following schedule :—

“ Whether the action of the management of South Central Zone Cultural Centre Nagpur in denying appointment on compassionate grounds to Shri Chandrakiran, Son of Late Narayan Tembhurne is legal and justified ? If not, to what relief the dependant of the deceased workman is entitled to and from which date ?”

2. Being noticed, Smt. Sandhya, wife of deceased Narayan Tembhurne and the management filed the statement of claim and written statement respectively.

3. The case of the claimant is that her husband, late Narayan was working in the Office of the Director, SCZCC as a permanent driver and while he was in such employment, he died on 7-7-2002 and the initial appointment of her husband, as a driver, was on 28-11-87 and the appointment was made in accordance with the procedure of selection and before the death of her husband, her husband had already served for a period of 14 years, 7 months and 9 days and after the death of her husband, she applied for compassionate appointment of her son, Chandrakiran Narayan Tembhurne in the prescribed form and she was informed by the management of their inability in giving compassionate appointment to Chandrakiran due to non-availability of vacancy even though there was vacancy due to the death of her husband. The further case of the claimant is that her husband was the sole breadwinner of the family and after his death, her six family members are dependant on her, so after refusal of the management, she raised the dispute before the appropriate authority. The claimant has prayed to issue suitable order to the management to consider the compassionate appointment of her son, Chandrakiran in place of her deceased husband.

4. The management in its written statement has admitted that Narayan was working as a driver with them but he was not a permanent driver but he was working on a contract basis for a specific period. The management has also admitted that the claimant had applied for compassionate appointment but as Narayan was not appointed on a regular basis, his dependants are not entitled for compassionate appointment and the family of the deceased Narayan is not distress, which is another criteria for getting the benefit of compassionate appointment and compassionate appointment is a matter of policy and not a matter of right.

5. The claimant, Smt. Sandhyarani examined herself in support of her claims, whereas one Smt. Rajlaxmi Shah, Deputy Director (Administration) was examined on behalf of the management.

6. At the time of argument, the stands taken by the parties in their statement of claim and written statement respectively were reiterated. Further, it was submitted by the learned advocate for the management that it is clear from the cross-examination of the claimant and in the application filed by her for compassionate appointment, wherein, she had mentioned of her having an asset of Rs. 3,00,967 and she received about Rs. 2,50,000 from LIC, group saving linked insurance scheme, EPF and DCR and she is also getting a sum of Rs. 500 per month as family pension and she has a house and her eldest son is serving in the Army and as such, it cannot be said that the family of deceased Narayan is in distress and there by entitled for compassionate appointment as provided in the rules in this regard and in view of grant of family pension and that compassionate appointment, is not a matter of right, the claimant is not entitled for any relief. In support of such contention, the learned advocate for the management placed reliance on the decision of the Hon'ble Bombay High Court reported in 2006 (6) AMR-85 (Smt. Mumtaz Yunus Yalani V/s State of Maharashtra & others).

In the said decision, the Hon'ble Court have held that :—

“Constitution of India, Art. 226, 14—Compassionate appointment—Not a matter of right—Wife of deceased employee receiving Rs. 1,100 per month as family pension

Rejection of application by son for compassionate appointment, cannot be found fault with.

The employment on compassionate ground is not a matter of right, but it is in the form of facility provided to the surviving members of the family of the deceased employer to tide over the sudden crisis on account of the death of breadwinner while considering such claim, the concerned authorities or public institution have to take into consideration the financial status of the family and have to ascertain, whether there are sources available to the family for their livelihood members in the family and the income of the family would obviously included even family pension”.

5. At this juncture, I think it apropos to quote the principles enunciated by the Hon'ble Apex Court in this regard in the decisions reported in Umesh Kumar Nagpal V/s State of Haryana and others (1994) -4 Supreme Court Cases - 138, General Manager (D&PB) and others V/s Kunit Tiwari and another, (200) 7 Supreme Court Cases—271, Punjab National Bank V/s Asvini Kumar Tajena, 2004 (7) Supreme Court Cases - 265 State of J & K and others V/s Sajad Ahmed Mir (2006) 5 Supreme Court Cases, about which reference has been made by the Hon'ble Bombay Court in the decision referred above.

6. The Hon'ble Apex Court in the case of Umesh Kumar Nagpal V/s State of Haryana & others (supra) have held that :

“The whole object of granting compassionate employment is to enable the family to tide over the sudden crisis and it is not to give a member of such family a post much less a post for the post held by the deceased member of such family.

The mere death of an employee in harness does not entitle his family to such source of livelihood and, the authority concerned, with such a situation has to examine the financial condition of the family of the deceased and only on satisfaction that but for the provision of employment, the family will not be able to meet the crisis that a job to be offered to the eligible member of the family.

Consideration for such employment is not a vested right”.

7. In the decision reported in (2004) 7 Supreme Court cases-271 (supra) the Hon'ble Apex Court have held that :

“An appointment by way of compassionate appointment is an exception carved out of the general rule for appointment on the basis of open invitation of application and merit. This exception has to be restored to in case of pecuniary where the dependants of an employee are left without any means of livelihood and that unless some source of livelihood is provided, the family would not be able to make both ends meet.”

8. The Hon'ble Apex Court in (2006) 5 Supreme Court cases -766 (supra) have held that :

“Normally an employment in the Government or other public sectors should be open to all eligible candidates who can come forward to apply and compete with each other. Considering the mandate of Art. 14 of the constitution, an appointment to the public office should only on the basis of competitive merits. This general rule should not be departed from except where compelling circumstances demand, such as death of sole breadwinner and livelihood of the family suffering because of the set back. Once it is proved that in spite of the death of the breadwinner, the family survived and substantial period is over, the cannot be necessity to say “goodbye” to the normal rule of appointment and to show favour to one at the cost of the interests of several others ignoring the mandate of Article 14 of the Constitution.”

9. The Hon'ble Apex Court in the case reported in 2004 (7) Supreme Court Cases - 2005 (supra) have held that :—

“ One thing which needs to be considered in such case in the retired benefits which are to be taken into consideration while dealing with prayer for compassionate appointment”.

10. With the touch stone of the principles enunciated by the Hon'ble Courts in the decisions

mentioned above, the facts and circumstances of the present case at hand are to be considered.

First of all, I think it proper to take up the submission made by the learned advocate for the management that deceased Narayan was appointed on contract basis for a specific period and he was not a permanent employee of SCZCC and such, his family members are not entitled for compassionate employment, as such facility can only be extended to employees appointed on regular basis under the rules applicable to SCZCC. However, I find no force in the contention that Narayan was appointed on contract basis for a specific period. No document has been filed by the management in support of such contention. No reliance can be placed on the oral evidence of the management witness in that respect, in absence of any document to such appointment and in view of the number of documents filed by the claimant which show beyond doubt that deceased Narayan was a regular employee of SCZCC. Hence, it is held that Narayan was a regular employee.

11. The next contention which requires for consideration is as to whether the family of deceased Narayan is in distress due to the death of Narayan and compassionate appointment of Chandrakiran, the second son of the claimant is necessary, so as to tide over the sudden crisis on account of the death of the breadwinner.

In this regard, it is necessary to mention the documents Ext. W - 9 and Ext. W - 22, which are filed by the claimant. In Ext. W - 9, the claimant has mentioned that her eldest son, Anil Narayan Tembhurne is working in the Army. In Ext. W - 22, the claimant has mentioned about her family having a residential house in column III (c) and having total assets of Rs. 3,00,967.30P.

In her cross-examination before this Tribunal, the claimant has admitted that there is a house in her name, the value of which is Rs. 1,00,000 to Rs. 1,50,000 and her eldest son is serving in Army and he had joined Army during the lifetime of her husband and her son, Chandrakiran is working as a labourer. She has also admitted to have received Rs. 25,000 and Rs. 15,000 from L.I.C., Rs. 42,000 under the group saving linked insurance scheme, Rs. 74,000 as E.P.F., Rs. 49,967.00 towards D.C.R. Gratuity. She has further admitted that her daughter is already married.

From the admitted facts as mentioned above, it is abundantly clear that the financial status of the family is stable and there are two earning family members, the eldest son of the claimant in Army and the second son working as a labourer and the claimant is also getting family pension of Rs. 500 per month and as such, the family members of deceased Narayan is not entitled to compassionate appointment. Hence it is ordered:

ORDER

The action of the management of South Central Zone Cultural Centre, Nagpur in denying appointment on compassionate grounds to shri Chandrakiran, son of late Narayan Tembhurne is legal and justified and the dependant of the deceased workman is not entitled to any relief.

J. P. CHAND, Presiding Officer

नई दिल्ली, 26 अक्टूबर, 2010

का.आ. 2897—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक ऑफ इंडिया के प्रबंधन के संवद्ध नियोज्जकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एल.सी./आर/171/95 एवं 212-96) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-10-2010 को प्राप्त हुआ था।

[सं. एल-12012/84/94-आईआर(बी II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 26th October, 2010

S.O. 2897—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No CGIT/LC/R/ 171/95 & CGIT/LC/R/ 212 96) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India, and their workmen, which was received by the Central Government on 22-10-2010.

[No. L-12012 84 94-IR (B-II)]

D. S. S. SRINIVASARAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/171/95 &

CGIT/LC/R/212/96

Presiding Officer : Shri Mohd. Shakir Hasan

Shri Ramesh Singh Sangar,
C/o Shri Gajraj Singh Tomar,
Village Sihoniya,
Distt. Morena (MP)

... Workman Union

Versus

General Manager,
Central Bank of India,
R.O. Nirma Bhawan,
Near L.G. Office,
Gwalior

... Management

AWARD

Passed on this 8th day of October, 2010

1. The Government of India, Ministry of Labour vide its Notification No. L-12012/84/94-IR (B-II) dated 25-9-95 has referred the following dispute for adjudication by this tribunal :-

“Whether the action of the Manageemant Central Bank of India in terminating the services of Shri Ramesh Singh Sangar, Ex-Peon w.e.f. 14-10-93 is legal and justified ? If not to what relief is the concerned workmen entitled to ?”

2. Both the references are taken up together as both are between the same parties and the point of references are on the same question and the order of reference is also same.

3. The case of the workmen, in short is that the workmen was appointed on daily wages by verbal order on the post of peon in the Branch of the Central Bank of India Nayagaon on 1-9-89 and was terminated on 16-10-93 without any notice. He had worked 240 days in each calendar years specially in the year before termination from service. He was not paid retrenchment compensation under the provisions of Section 25-F of the Industrial Disputes Act, 1947 (in short I.D. Act, 1947). It is alleged that he was paid wages through vouchers on different names. When the Central Govt. refused to refer the dispute, the workman filed Writ Petition No. 1431/94 before the Hon'ble High Court, Gwalior Bench and thereafter the dispute is referred by the Ministry. It is submitted that termination from service be declared illegal and back wages be paid.

4. The management contested the reference by filing Written Statement in the case. The case of the management, interalia, is that the workman was engaged on daily wages on exigency by the Branch Manager. He was engaged on daily wages as follows -

1. From 30-08-89 to 31-10-89
2. From 01-10-89 to 29-11-90
3. From 01-01-92 to 29-02-92
4. From 01-01-93 to 28-02-93
5. From 01-10-93 to 09-10-93 and on 14-10-93

It is denied that he worked 240 days in any calendar year. It is also denied that he was paid on any different names. It is stated that there is no violation of any of the provision of I.D. Act, 1947. It is submitted that he is not entitled to any relief

5. On the basis of the pleadings of both the parties, the following issues are framed :-

(I) Whether the action of the management in terminating the service of the workman w.e.f. 14-10-93 is legal and justified ?

(II) What relief the workman is entitled for ?

6. Issue No. I

The workman has not filed even a single document to establish that he worked 240 days in a calendar specially 12 months before the date of reference. He is simply examined as a witness. He has simply filed representation petition dated 18-10-93 which is marked as Exhibit W/1 to show that he represented the managment to engage him in the service. Another document which is letter of the management is filed which is marked as Exhibit W/2. This letter shows that the managment had offered him a job of part time safai karamchhari and directed him to file required paper as had been directed. This document does not show that he worked continuously from 1-9-89 to 16-10-93. The workman Shri Ramesh Singh Sangar has admitted this fact that he was daily wages worker. When he did not work, he was not paid on that date but he got the wages of the days, he worked. He has further stated that he cannot say as to on what basis he had stated that he worked 240 days. He has stated that he had not complied of the direction of the management as in Exhibit W/2. his evidence does not establish that he worked 240 days preceding the date with reference. Moreover he had himself not complied the direction of the management by which the offer of employment was made.

7. On the other hand, the management has also adduced one witness in the case. Shri A. K. Arora appears to be Manager of the Central Bank of India posted at Regional Office, Gwalior. He has supported in his evidence that paper No. 9/3 was issued to the workman. The said paper is marked as Exhibit W/2 by which the offer was made to the workman. It is clear that he had not accepted the offer himself. His evidence further shows that he had not completed 240 days in any calendar year and specially 12 calendar months preceding the date with reference. It is evident that there is no violation of any of the provision of the I. D. Act 1947. Thus the action of the management appears to be legal and justified. This issue is decided in favour of the management.

8. Issue No. II -

On the basis of discussion made above, I find that the workmen is not entitledd to any relief. Accordingly the reference is answered.

9. In the result, the award is passed without any order to costs.

10. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 26 अक्टूबर, 2010

का.आ. 2898.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/234/87) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-10-2010 को प्राप्त हुआ था।

[सं. एल-12012/110/87-डी.II (A)आईआर(बी-II)]
डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 26th October, 2010

S.O. 2898.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No CGIT/LC/R/234/87) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employees in relation to management of Central Bank of India, and their workmen, which was received by the Central Government on 22-10-2010.

[No. L-12012/110/87-D.II (A)IR (B-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/234/87

Presiding Officer : Shri Mohd. Shakir Hasan

Shri Tarachand Raikwar,
S/o Shri Ramdayal Raikwar,
Nehru Ward,
Gotegaon,
Distt. Narsinghpur (MP)

... Workman/Union

Versus

Regional Manager,
Central Bank of India,
Gorakhpur, Jabalpur (MP)

...Management

AWARD

Passed on this 1st day of October 2010

1. The Government of India, Ministry of Labour vide its Notification No. L-12012/110/87-D.II (A)IR (B-II) dated 9-11-87 has referred the following dispute for adjudication by this tribunal :-

“Whether the action of the Management Central Bank of India Jabalpur in termination the services by way

of dismissal of Shri Tarachand Raikwar S/o Shri Ramdayal Raikwar, Peon with effect from 24-3-84 is justified ? If not to what relief is the concerned workmen is entitled ?”

2. The case of the workman in short is that the workman, Shri Tarachand Raikwar was appointed as a peon w.e.f. 13-3-72 after passing written test and interview. The antecedent and police verification was also done. He is said to have been chargesheeted on 7-10-1982 for impersonation that he was Foolchand Raikwar and had secured appointment fraudulently on false transfer certificate by adopting unfair means as Tarachand Raikwar. he submitted his reply but after departmental enquiry, he was dismissed vide order dated 23-3-1984. The delinquent workman preferred appeal which was rejected vide order dated 18-5-1984. The dismissal order is illegal and bad in law. The Transfer Certificate was verified at the time of appointment and there was no reason to make preliminary enquiry after ten years of service. The report of the preliminary enquiry and the documents based for dismissal order were not supplied to the workman. The misconduct as had been alleged was not covered in the Shastri Award and Desai Award. The finding of the Enquiry Officer was perverse and the defence of the workman was not considered while holding him guilty of misconduct. It is submitted that the order of termination be held unjustified and the workman be reinstated with full back wages.

3. The management appeared and contested the reference by filing Written Statement. the case of the management, inter alia, is that the workman is Foolchand Raikwar s/o Bhaiyalal Raikwar. He had fraudulently got the employment in the Bank after impersonating himself as Tarachand Raikwar S/o Ram Dayal Raikwar. Tarachand Raikwar was found on enquiry that he was working in Ordnance factory, Harsi. He was accordingly suspended on 31-7-81 and a departmental proceeding was initiated after serving a chargesheet on him. He was given full opportunity to defend himself but after enquiry he was found guilty of misconduct in securing employment by fraud. The Disciplinary Authority after considering the enquiry report, passed the order of dismissal dated 23-3-84. he had been supplied with the particulars of chargesheet. It is submitted that the action of the management is justified and is not entitled to any relief.

4. On the basis of the pleadings of following issues are formulated :-

- (I) Whether the departmental enquiry conducted against the workman is valid and legal ?
- (II) Whether the findings of the Enquiry Officer is perverse ?
- (III) Whether the quantum of punishment was just and proper ?

5. Issue No. I

Issue No. 1 was taken up as preliminary issue. The then Tribunal passed the order dated 17-1-1996 that the departmental enquiry is held just, proper and legal. This issue is already answered earlier.

6. Issue No. II

It is pertinent to say that no fresh evidence is adduced in the reference by either of the parties. The point for consideration is as to whether the findings of the Enquiry Officer was perverse. The original copy of the departmental proceeding is filed by the management. On perusal of the departmental proceeding, it is clear that the witness No. 1 Mr. Tarachand Raikwar S/o Shri Ramdayal Raikwar was examined. He was the real Tarachand Raikwar to whom the delinquent workman had impersonated for securing employment. He has stated that he is working in the Ordnance Factory, Itarsi. He had produced the original Transfer Certificate of the school. The delinquent workman had used the photocopy of the Transfer Certificate. He had been cross-examined by the Defence Representative. His evidence clearly shows that the findings of the Enquiry Officer was not perverse. Another witness is Shri Chhotelal Raikwar. He was peon in the Central Bank of India, Bhopal. His name and address was mentioned in the application of the delinquent workman as a referee. In his evidence he had denied to recognise the delinquent workman. He has been cross-examined by the Defence representative but there is nothing to disbelieve his evidence. Thus it is clear that Original School Transfer Certificate was produced by the real Tarachand Raikwar and the witnesses had supported the case of the management in the departmental proceeding. I find that there are sufficient evidence adduced in the departmental proceeding and therefore the findings of the Enquiry Officer cannot be said to be perverse. This issue is decided in favour of the management and against the workman.

7. Issue No. III

On the basis of the discussion made above, it is clear that the employment secured by the delinquent workman was illegal and the punishment imposed on the workman is just and proper. The action of the management is, therefore, just and legal. The reference is accordingly answered.

8. In the result, the award is passed without any order to costs.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 26 अक्टूबर, 2010

का.आ. 2899.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक

ऑफ़ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 197/ 2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-10-2010 को प्राप्त हुआ था।

[सं. एल-12012/86/2002-आईआर(बी-II)]

डी. एस. एस. श्री निवास राव, डेस्क अधिकारी

New Delhi, the 26th October, 2010

S.O. 2899.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 197/2002) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workmen, which was received by the Central Government on 11-10-2010.

[No. I-12012/86/2002-IR (B-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH.**

Case No. I. D. No. 197/2002

Shri Varinder Kumar C/o Shri T. C. Sharma. 25 Sant Nagar., Civil Lines, Ludhiana -141001.

....Applicants

Versus

The Regional Manager, Central Bank of India, Regional Office, Ghumar Mandi, Ludhiana- 141001.

... Respondents

APPEARANCES

For the workman : Shri T. C. Sharma.

For the Management: Shri N. K. Zakhmi.

AWARD

Passed on 24-9-2010 Camp Ludhiana

Central Government vide notification No. L-12012 86/2002-IR (B-II), dated 6th of September, 2002 has referred the following dispute to this Tribunal for adjudication:-

“ Whether the action of the management of Central Bank of India in awarding the punishment of dismissal from service of Shri Varinder Kumar clerk w.e.f. 30-10-2000 is just and legal ? If not to what relief the workman is entitled to and from which date ?”

Case is taken up for recording the evidence of the workman. Workman despite knowledge is not present for his evidence. No reasonable explanation on behalf of the workman has been given for his absence. The reference is already eight years old. It appears that workman is not interested to pursue with the present reference. In view of the above the present reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned.

Chandigarh.

24-9-2010

G. K. SHARMA, Presiding Officer

नई दिल्ली, 26 अक्टूबर, 2010

का.आ. 2900.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब एण्ड सिंध बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-II, चण्डीगढ़ के पंचाट (संदर्भ संख्या 603/2 के 5) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-10-2010 को प्राप्त हुआ था।

[सं. एल-12012/180/2002-आईआर(बी-II)]

डी. एस. एस. श्री निवास राव, डेस्क अधिकारी

New Delhi, the 26th October, 2010

S.O. 2900.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 603/2K5) of the Central Government Industrial Tribunal/Labour Court- II, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Punjab & Sind Bank and their workman, which was received by the Central Government on 22-10-2010.

[No. I-12012/180/2002-IR (B-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH.

PRESENT : Sri A. K. Rastogi, Presiding Officer.

Case No. I. D. 603/2K5

Registered on 23-06-2005

Sh. Ram Prasad, 1129, Sector 33-C, Chandigarh -160047.

....Applicants

Versus

The Zonal Manager, Punjab and Sind Bank, Zonal
Office, Sector 17-B, Chandigarh-160017

.. Respondents

APPEARANCES

For the Workman : Shri O. P. Batra & Sumit Batra
AR

For the Management: Shri G. S. Sathi, Advocate

AWARD

Passed on 15 Oct. 2010

The Central Government vide notification No. I-12012/180/2002-IR (B-II), dated 24-2-2003 by exercising its powers under Section 10 sub-section (1) Clause (d) and sub-section 2 (A) of the Industrial Disputes Act, 1947 (hereinafter referred to as Act) has referred the following Industrial dispute for adjudication to this Tribunal :

“ Whether the action of the management of Punjab & Sind Bank in terminating the services of Shri Ram Prasad, Ex-Peon (Daily Wage Basis) w.e.f. 15-01-2002 with any notice and without any payment of retrenchment compensation is just and legal ? If not to what relief the concerned workman is entitled to and from which date ?”

As per claim statement of workman he had joined the bank on 23-11-1995 as Peon. His services were terminated orally without any notice and compensation on 15-01-2002, though he completed five years service and prior to his termination had put in more than 240 days service continuously in the bank. Persons junior to him have been retained in the service. He has claimed the regularization of his services, back wages and allowances and monetary compensation.

The claim was contested by the management. It was stated that the workman was employed temporarily on daily wages without following the recruitment procedure. He was not appointed against any permanent vacancy and by competent authority, which is the Zonal -lead in the case of Peons. He is not entitled to be retained even in the employment of the bank. There is no permanent vacancy and no requirement of Peons at present. As per settlement between the management bank and the majority union, only the casual and temporary employees may be absorbed in the employment of the bank subject to availability of vacancies and still there are employees of this category waiting in the line. It was denied that the workman put in a continuous service and is entitled to the protection of Section 25F and 25G of the Act. On the pleadings of the parties, the following points arise for consideration :

(i) Whether the workman is entitled to protection of Section 25F and 25G of the Act ; and whether the action of the management in terminating the services of the workman w.e.f. 15-01-2002 without any notice and without any payment of retrenchment compensation is just and proper ?

(ii) To what relief the workman is entitled to and from which date?

Workman has tendered his affidavit in evidence, while on behalf of management Jagjit Singh Puri, Senior Manager has tendered his affidavit in evidence. The workman has also filed the copies of bank vouchers (Annexure D-1 to D-96), statement of his Savings Bank Account No. 14725 (Annexure E-1 to E-90) and General charges statement, whereby the bank debited his salary for onward payment to him (Annexure F-1 to F-110). The documents have been admitted in evidence as Ex. W-2 to Ex. W-222. On the application of the workman the management also produced certified copies of the vouchers and the entries in the ledger.

Parties have submitted written arguments. I went through written arguments of the parties and the evidence on record. My findings on the aforesaid points are as follows :—

Point No. 1

From the law laid down by the Apex Court in Rattan Singh Vs. Union of India & another 1998 SCC (L&S) 170 it is clear that the protection of Section 25F of the Act is available to a daily wager also. In the said case the appellant had continuously worked for more than 240 days in a year. The Hon'ble Supreme Court held that since he was a workman, he was entitled to the protection of 25F of the Act and the said protection could not be denied to him on the ground that he was a daily rated worker.

For the entitlement of Section 25F of the Act it is to be seen whether the workman has been in continuous service for not less than one year under the management? As per dictionary clause in section 25B if the workman during a period of 12 calendar months preceding the date of retrenchment has actually worked under the employer for not less than 240 days, he will be deemed to be in continuous service for a period of one year. It is important to note that after the evidence of the parties, particularly after the workman tendered in his evidence, the Bank vouchers, Savings Bank Account Statement and General Charges statement Ex. W-2 to W-222, the management in its written arguments did not press the plea that the workman did not put 240 days continuous service in the 12 calendar months preceding to his termination. The arguments of management are confined only to the relief available to the workman. It is therefore, established/admitted position that the workman had completed 240 days continuous service during 12 calendar months preceding to his termination. Admittedly his services were terminated without any notice and without payment of compensation under Section 25F of the Act, while he was entitled to that. Obviously, the termination of his services without any notice and paying retrenchment compensation is in violation of Section 25F of the Act and such termination of service is not just and legal.

The workman has alleged that while terminating his services, employee junior to him were retained, but a general statement in this regard has been made and no specific instances have been given. The management witness in his cross-examination has stated that he has no knowledge that any person junior to the workman was retained. Therefore, the workman has failed to prove that provisions of Section 25G of the Act were violated while terminating his services. However, there was a violation of Section 25F of the Act as has been held above and the termination of the services of the workman in violation of the said provision is not just and legal. Point No. 1 is decided accordingly, in favour of the workman.

Point No. 2

The workman has claimed the regularization of his services with back wages and compensation. The case of the management is that workman had not been appointed by the competent authority and as per recruitment rules, he is not entitled to reinstatement even. Along with his written arguments the counsel for the management has filed a copy of the judgment of the Hon'ble Punjab and Haryana High Court in CWP No. 15885 of 2007 wherein an award of Rs. 40,000 by way of compensation instead of reinstatement of back wages of the Tribunal was not interfered with by the Hon'ble High Court.

The workman during cross-examination has admitted that he has not applied for the appointment in the bank and there was no public advertisement for the post. He was not given an appointment letter either and he was used to be paid for the number of days he worked in the bank either fortnightly or monthly. From his statement the stand of the management that the workman was not appointed as per recruitment rules stands vindicated. There is nothing to show that the workman was appointed by a competent authority, which according to management is the Zonal head. I do not agree with the arguments of the learned counsel for the workman that because provisions of Section 25F were not complied with, the workman is entitled to reinstatement with full back wages and continuity of service. As was laid down by the Hon'ble Supreme Court in the Secretary state of Karnataka & Others Versus Uma Devi & Others (2006) 4 SCC-1.

“On a survey of judgments of the Supreme Court on the point, the predominant view is seen to be that appointments made without following the due process or the rules for appointment did not confer any right on the appointees and that the court cannot direct their absorption or regularization or re-engagement or making them permanent.”

In state of Utranchal & another Versus Prantiya Sinchai Avam Bandh Yojana Sharmik Mahaparishad 2007 (6) R.A.J. 68, The Hon'ble Supreme Court held :—

(i) The completion of 240 days' work does not confer the right of regularization under the Industrial Disputes Act.

(ii) No regularization is permissible in exercise of executive powers of the Government under Article 162 thereof in contravention of the rules.

(iii) It merely imposes certain obligations on the employer at the time of termination of the service.

(iv) Only because a person had been working for more than 240 days, he does not derive any legal right to be regularized in service.

(v) There was no question of any automatic regularization.

From the above it is clear that the workman cannot be reinstated since his appointment was not according to rules. However, since his services were terminated without complying with the provisions of Section 25F of the Act, he may be awarded compensation. He has about six years' service with the management to his credit. I think a compensation of Rs. 60,000 (Rupees Sixty thousands only) would be just and proper in his case. The reference is answered in favour of the workman, but instead of allowing the relief of regularization of his services or back wages and allowances, he is awarded Rs. 60,000 (Rupees Sixty thousands only) by way of compensation. The management is directed to pay the said compensation to the workman within a month of receiving the copy of the award. Let two copies of the award be sent to the Central Government after due compliance.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 26 अक्टूबर, 2010

का.आ. 2901.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 03/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-10-2010 का प्राप्त हुआ था।

[सं. एल-12011/73/2007-आईआर(बी-II)]

डॉ. एस. एस. श्रीनिवासराव, डेस्क अधिकारी

New Delhi, the 26th October, 2010

S.O. 2901.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 03/2009) of the Central Government Industrial Tribunal/Labour Court, Lucknow now as shown in the Annexure in the Industrial Dispute between the employees in relation to the

management of Punjab National Bank and their workmen, which was received by the Central Government on 22-10-2010.

[No. L-12011/73/2007-IR (B-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT : Dr. Manju Nigam, Presiding Officer

I. D. No. 03/2009

Ref No. L-12011/73/2007-IR (B-II) dated 17-02-2009

BETWEEN

The Secretary,
Punjab National Bank Workers Union (U.P.),
128/F/75, Kidwai Nagar, Kanpur
(Espousing case of Shri Mustaq Ahmad)

AND

The Senior Regional Manager,
Punjab National Bank,
Regional Office,
Devkali Road,
Faizabad.

AWARD

15-10-2010

1. By Order No. L-12011/73/2007-IR (B-II), dated 17-02-2009 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by Clause (d) of sub-section (1) and sub-section 2 (A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this Industrial Dispute between the Secretary, Punjab National Bank Workers Union (U.P. 128/F/75), Kidwai Nagar, Kanpur (Espousing case of Shri Mustaq Ahmad) and the Senior Regional Manager, Punjab National Bank, regional Office, Devkali Road, Faizabad for adjudication.

2. The reference under adjudication is :

"Whether the action of the management of Punjab National Bank in not making payment of cashier Allowance to Shri Mustaq Ahmad on the plea that only one allowance of higher post is admissible is legal and justified ? what relief the concerned workman is entitled to ?"

AND

"Whether the workman has been entrusted with certain duties requiring greater risk and responsibility which are meant to be performed by an officer of the bank as per bank's procedure ? If yes what relief the workman is entitled to ?"

3. The order of reference was endorsed to the Secretary, Punjab National Bank Workers Union (U.P.), 128/F/75, Kidwai Nagar, Kanpur with direction to the party raising the dispute to file the statement of claim along with relevant documents, list of reliance and witnesses with the Tribunal within fifteen days of the receipt of the order of reference and also forward a copy of such a statement to each one of the opposite parties involved in this dispute under Rule 10 (B) of the Industrial Disputes (Central), Rules, 1957.

4. The reference order was registered in the Tribunal on 25-02-2009 and registered notices were issued to the parties with direction to the workman's union to file its statement of claim on 13-03-2009; along with relevant documents, list of reliance and witnesses with an advance copy to the opposite party. On 04-03-2009, the envelop containing notice to the opposite party was received back in the office with an endorsement that 'likhit pate se yah karyalaya band ho kar alag chala gaya hai atah sahi pate ke liye vaapas hai'. However, none appeared on behalf of the parties on the date fixed i.e. 13-03-2009. When none appeared from parties on following dates i.e. 17-04-2009 and 22-05-2009, it was directed on 22-05-2009 to issue notice to the workman's union with direction to file statement of claim as well as to provide correct address of the management. Again none appeared on behalf of the parties on the dates fixed i.e. on 24-07-2009, 18-09-2009, 23-10-2009, 11-12-2009, 05-02-2010. On 18-03-2010, one Shri P. K. Tiwari appeared for the opposite party without any formal authority and 30-04-2010 was fixed as next date of hearing. On 30-04-2010 another notice by speed post was issued to the workman to file its statement of claim on 04-06-2010. None appeared from the parties on 04-06-2010 and 13-07-2010. Shri P. K. Tiwari again appeared on 13-08-2010 on behalf of the opposite party and stated that on the next date he will file his authority and certain documents on behalf of the Bank; and accordingly, 26-08-2010 was fixed. The parties remained absent on following dates 26-08-2010 and 03-09-2010. Even today i.e. on 05-10-2010 the workman's union has not bothered to put up its appearance on to file its statement of claim; whereas Shri P. K. Tiwari appeared on behalf of the opposite party and filed its authority (M-10).

5. Shri Tiwari appearing for the management of the Bank stated that it was for the workman's union to come forward with its case and since he has not turned up and has not filed any statement of claim before this Tribunal, therefore his claim does not sustain.

6. It is well settled that if a party challenges the legality of an order, the burden lies upon him to prove

illegality of the order and if no evidence is produced the party invoking jurisdiction of the Court must fail. In the instant case the burden was on the workman's union to set out the grounds to challenge the validity of the action of the management of Punjab National Bank in not making payment of cashier allowance to the workman is illegal and unjustified as well it was the union to prove that the workman has been entrusted with certain duties requiring greater risk and responsibility which are meant to be performed by an Officer of the bank as per bank's procedure. The workman's union has not filed its statement of claim.

7. In the above circumstances, it appears that the workman's union does not want to pursue its claim on the basis of which it has raised present industrial dispute; therefore, the present reference order is decided as if there is no grievance left with the workman. Resultantly no relief is required to be given to the workman concerned. The reference under adjudication is answered accordingly.

8. Award as above.

Lucknow
05-10-2010

Dr. MANJU NIGAM, Presiding Officer

नई दिल्ली, 26 अक्टूबर, 2010

का.आ. 2902.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब एंड सिंध बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 145/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार का 22-10-2010 को प्राप्त हुआ था।

[सं. एल-12012/51/2003-आईआर(बी-II)]
डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 26th October, 2010

S.O. 2902.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 145/2003) of the Central Government Industrial Tribunal/Labour Court, No.1, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Central and their workman, which was received by the Central Government on 22-10-2010.

[No. 1-12012/51/2003-IR (B-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH.**

Case I. D. No. 145/03

Shri Nek Lal, S/o Shri Sukh Ram, H. No. 5558, Sector-55,
Chandigarh.

....Applicant

Versus

The Zonal Manager, Punjab & Sind Bank, Zonal Office,
Sector- 17-B, Chandigarh - 160017.

...Respondent

APPEARANCES

For the Workman : Shri Krishan Lal.

For the Management : Shri A. P. S. Guliani.

AWARD

Passed on 13-10-2010

Government of India vide notification No. L-12012/51/2003-IR (B-II), dated 24-06-2003 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal :-

“ Whether the action of the management of Punjab & Sind Bank in terminating the services of Shri Nek Lal S/o Shri Sukh Ram, Ex- Peon (Daily Wage Basis) w.e.f. 15-03-2002 without any notice and without any payment of retrenchment compensation is just and legal? If not, what relief the concerned workman is entitled to and from which date ?”

After receiving the reference, parties were informed. Parties appeared and filed their respective pleadings. The case of the workman in nut shell is that he has worked in different offices of Punjab & Sind Bank w.e.f. 18-06-1998 to 14-03-2002. His services were terminated without notice or one month wage in lieu of notice and without payment of retrenchment compensation. The workman has completed 240 days of work in every calendar year including in the year preceding to the date of his termination. His termination from the services is illegal and void being against the provisions of the Act. It is further contended by the workman that fresh persons were appointed after the termination of his services without providing him the opportunity to work. This is also violative of provisions of Section 25H of the Act. On the basis of the above, the

workman has prayed for declaring his termination order illegal and void being against the provisions of the Act and for subsequent order reinstating his services with all the consequential benefits.

The management appeared and contested the claim of the workman by filing written statement. Preliminary technical objection was raised by the management that workman was employed on purely temporary basis and was not recruited as per the procedure of the bank for the post of peon against the permanent vacancy. He was not entitled for the protection of the provisions of the Act because a daily waged worker/temporary employee has no right to post. It is not denied by the management that workman has completed 240 days of work in every calendar year including in the year preceding to the date of his termination. It is also not denied that no notice, one month wages in lieu of notice and retrenchment compensation was paid to the workman before terminating his services.

Both of the parties were afforded the opportunity for adducing evidence. Evidence of the workman Shri Nek Lal was recorded on 18-11-2009 in open Court on oath.

The management was also afforded the opportunity for adducing evidence but in spite of several opportunities afforded by this Tribunal the witness of the management could not ensure the presence and evidence not recorded and closed accordingly.

Both of the parties were heard at length along with their learned counsels. On perusal of the materials on record, it is evidently clear that workman has prayed for an order of reinstatement with consequential benefits on two grounds.

(1) He has completed 240 days of work in every calendar year with the management of respondent bank including the year preceding to the date of his termination and his services were terminated without any notice or one month wages in lieu of notice and without payment of lawful terminal dues, and

(2) Fresh persons were appointed after the termination of his services without affording him the opportunity to work.

On both of these issues, the management has taken a technical preliminary objection that workman was not appointed as per the procedure laid down in the rules for Class-IV employees for the appointment against permanent vacancy. On the above technical objection, the management has contended that workman is not entitled for the benefit of the provisions of Section 25H and G of the Industrial Disputes Act as alleged. It is settled law of

service jurisprudence that once workman has engaged by the management in the position of the workman defined in the Industrial Disputes Act and he has substantially worked with the management, the legality of his initial appointment shall not barred the protection of provisions of Section 25G and H of the Act. Meaning thereby, without giving trouble to the mental conscious regarding the initial appointment of the workman, if the workman has completed 240 days of work in the preceding year from the date of his termination, he is very well protected under umbrella of provisions of Section 25 H and G of the Industrial Disputes Act. Moreover, the issue of appointment against the substantial vacancy as per the procedure laid down in the rules is altogether different then the issue of protection of illegal termination of the workman who has completed 240 days of work in the preceding year from the date of his termination. These are two classes of the employees and service conditions of each class are different. One class is the employees regularly appointed against the substantial post as per the rules of the department and the second class is a person who qualifies to the definition of the workman other than the employees appointed permanently as per rules, enshrined in the Industrial Disputes Act and has completed 240 days of work in the preceding year from the date of his termination. These two classes of employee are on different footing and as stated earlier once it is proved before this Tribunal that workman has completed 240 days of work in the preceding year from the date of his termination the legality of his initial appointment has not to be considered by the Tribunal.

Admittedly, workman has completed 240 days of work in the preceding year from the date of his termination. No notice or one month wages in lieu of notice and retrenchment compensation was paid to the workman before terminating his services. This makes the termination of the workman illegal and void being against the provisions of the Act.

The workman has also challenged the legality of his termination order on the ground that fresh persons were appointed without providing him the opportunity to work. It is also the settled law of service jurisprudence that once the service of a daily waged worker are no more required and his services are terminated as per the provisions of the Act, his relations to the organization does not comes to an end. It also creates the vested right of the workman that if services of any worker relating to the similar nature of work are required, priority shall be given to the retrenches. But in this case workman has failed to prove the engagement of any fresh persons after the termination of his services. It is the pleadings in the garlanding words without proof. Thus, after considering

the facts and circumstances of the case and evidence on record, I am of the view that workman has failed to prove appointment/engagement of any fresh persons after the termination of his services.

As stated earlier that on account of violation of Section 25F of the Act, the termination of the workman was bad, illegal and void abinitio. The documents filed by the workman also proved his contention. Whenever the termination of the workman has been declared to be bad, illegal and void abinitio being against the provisions of Section 25F of the Act. There are two possible remedies available to the workman. The violation or right of the workman can be remedied by an order of his reinstatement into the services with or without consequential benefits. The second remedy may be a reasonable compensation. It is further the settled principle of service jurisprudence that priority should be given for reinstatement of the workman. The protection of right to work is protected in the fundamental right under Article 21 of the Constitution. Article 21 contains the very important right relating to the life and personal liberty of a man. Right from the establishment of the Hon'ble the Apex Court to the present era of constitutional jurisprudence, Hon'ble the Apex Court has emphasized very liberally on the fundamental right of life and personal liberty. Under this right it is inherent that every citizen has a right to lead dignified life. Leading the dignified life by a workman who is amongst the socio-economically weaker section of the Indian democracy and polity means the protection of work. Accordingly, I am of the view that reinstatement of workman with full back wages on the same position on which he was working prior to his termination is the only remedy. My above view finds favour with the information given by learned counsel for the management that some cases of the similar nature have been settled by the management before different Judicial Forums and services of the those workmen have been reinstated. The adamancy of the management for not settling the case has been mentioned in the order dated 20-09-2010. The act of the management as per order dated 20-09-2010 is against the litigation policy adopted by the Central Government recently.

Accordingly, the management of respondent bank is directed to reinstate the services of the workman with all the consequential benefits within one month from the date of publication of award. The reference is accordingly, answered. Let Central Government be approached for publication of award, and thereafter, file be consigned to record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 26 अक्टूबर, 2010

का.आ. 2903.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ओवरसीज बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 36/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-10-2010 को प्राप्त हुआ था।

[सं. एल-12012/117/2006-आई आर(बी-11)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 26th October, 2010

S.O. 2903.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.36/2007) of the Central Government Industrial Tribunal/Labour Court-1, Chandigarh now as shown in the Annexure, in the Industrial dispute between the employees in relation to the management of Indian Overseas Bank and their workman, which was received by the Central Government on 22-10-2010.

[No. L-12012/117/2006-IR (B-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRIGYANDNDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case I.D. No. 36/2007

Shri Aslam S/o Shri Jagga R/o Village & PO Baddowal,
Tehsil & Distt. Ludhiana

...Applicant

Versus

The Chief Manager, Indian Overseas Bank, Regional Office
SCO No.- 11, Madhya Marg, Sector-7-C, Chandigarh-
160019

...Respondent

APPEARANCES

For the Workman : Shri Chander Kumar Jha

For the Management : Shri R.K. Chopra

AWARD

Passed on :- 13-10-2010

Government of India vide Notification No. L-12012/117/2006-IR(B-II), dated 05-06-2007 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal:

“Whether the action of the management of Indian Overseas Bank in dismissing the services of Shri Aslam Ex-Messenger w.e.f. 26-02-2006 is just and legal? If not, to what relief the concerned workman is entitled for?”

After receiving the reference parties were informed. Parties appeared and filed their respective pleadings. The case of the workman in nut shell is that he was appointed by the management of the bank on the post of messenger boy and thereafter, was designated as Daftri w.e.f. 04-07-1996. He was placed under suspension w.e.f. 26-03-2005 illegally on account of some irregularities committed by him in the premises of the bank. No charge was proved against him but on the basis of wrong enquiry report he was dismissed from the services. No proper opportunity of being heard was given to him. The evidence recorded by the enquiry officer was not sufficient to prove the charge.

The management appeared and opposed the statement of claim by filing written statement. It is contended by the management that the charge levelled against the workman was well proved by independent witnesses and disciplinary authority on the basis of the enquiry report has rightly dismissed the workman from the services.

On perusal of the materials on record it is evidently clear that workman was charge sheeted as follows:-

1. On 03-12-2003, he submitted requisition letter forging the signature of Mrs. Parminder Kaur, SB Account holder of No. 21148 and fraudulently obtained a cheque book containing cheque leaves No.476581 to 476600. In order to conceal the cheque book received by him, he had stealthily removed the pages No. 83 to 84 of the cheque book issued register relating to delivery of the cheque book for SB No. 21148.

2. He had also stealthily removed and destroyed the original specimen signature sheet relating to SB A/c No. 21148 of Mrs. Parminder Kaur from the SB specimen signature folder and pasted in its place another specimen signature sheet containing signature purportedly that of the account holder. The signature pasted by him was not verified and authenticated by any official of the branch. The signature appearing in the specimen signature sheet was found to be forged.

3. Utilizing the above cheque book fraudulently obtained by him, he had in collusion with the person known to him, got four cheques presented by two persons known to him forging the signature of the account holder and fraudulently withdrawn Rs. 1,63,000 in the SB A/c No. 21148 of Mrs. Parminder Kaur.

4. He also removed the photo of Mrs. Parminder Kaur from the S.B. A/c opening form to facilitate passing of the above cheques. He wilfully caused misconduct within the meaning of the clause 5 (d) of the Memorandum of

Settlement dated 10-04-2002 between the Bank and its workmen. The above acts are also prejudicial to the interest of the Bank within the meaning of gross misconduct as defined in clause 5 (i) of the aforesaid settlement.

On the issue of fairness of enquiry both of the parties were heard at length and issue of fairness of enquiry was decided by this Tribunal vide order dated 16-05-2010. In the said order dated 16-06-2010 the enquiry was held to be proper and fair and the parties were afforded the opportunity for adducing evidence on perversity in decision making, if any, by the enquiry officer and on quantum of punishment. It is evidently clear, vide order dated 05-07-2010 that both of the parties preferred not to adduce any evidence even on perversity of decision making, if any, by the enquiry officer and on quantum of punishment awarded by the disciplinary authority. It was stated by learned counsel for the workman that evidence recorded by the enquiry officer is sufficient to prove the perversity of the enquiry officer.

Both of the parties were heard again at length on the issue mentioned above. I have also perused the complete enquiry file. As more as evidence of five witnesses were recorded by enquiry officer. The officer who conducted the preliminary enquiry was also cross-examined. In his preliminary enquiry report it is specifically mentioned that the workman has admitted before the enquiry officer conducted the preliminary enquiry regarding his involvement in illegally withdrawn the funds from the account of Smt. Panninder Kaur. Not a single question was asked by workman in the cross-examination of the enquiry officer conducted the preliminary enquiry. It means the statement of the enquiry officer conducted the preliminary enquiry is un rebutted. On going through the entire statement given by the enquiry officer, I am of the view that the statement is trust worthy and reliable. Moreover, the other witnesses who were the employees of the bank have also proved that Shri Aslam was seen with Daljeet Singh who has fraudulently withdrawn the amount from the account of Smt. Panninder Kaur. The handwriting of Shri Aslam was also proved by the handwriting expert in evidence adduced before the enquiry officer. Thus, on all the charges namely withdrawn of the amount, misplacing the authenticated specimen signature sheet and pasting the fabricated signature sheet, the involvement of the workman is well proved. No doubt, there has been no direct evidence before the enquiry officer but the circumstances which were proved by the witnesses of the bank clearly established the involvement of the workman in the fraudulent activity. Moreover, the opportunity was there to the workman being an integral part of the office of the bank working in the branch in question.

Thus, the cumulative effect of evidence adduced before the enquiry officer is that active involvement of workman in the fraudulent activities was established by the circumstantial evidence. Accordingly, there was no

perversity in decision making of the enquiry officer proving all the charges against the workman. Considering the nature of charge and misconduct and the punishment awarded to the workman. I am also of the view that it was proportionate to the committed misconduct. The workman is accordingly not entitled for any relief. Let Central Government be approached for publication of award, and thereafter file be consigned to record room. It is once again stated that order dated 16-06-2010 passed by this Tribunal on preliminary issue of fairness of enquiry shall be part of the this award. The office is directed to enclose the copy of the said order while sending the award for publication to the Central Government.

G.K. SHARMA, Presiding Officer

I.D. No. 36/2007

Annexure-I

Order dated : 16-6-2010

This file is placed before me for order on fairness of enquiry. I have heard the workman in person and learned counsel for both of the parties. Entire enquiry file has also been filed by the management. I have also gone through the entire materials on record including the enquiry report and the order of the disciplinary authority. While hearing the workman in person by Tribunal, the workman has conceded the following facts:-

- (1) That he was working as Daftri in the Office with the management in the branch in question
- (2) He was issued a charge sheet.
- (3) He answered the charge sheet after understanding the nature of charges.
- (4) An enquiry officer was appointed to conduct a departmental enquiry.
- (5) He has appeared before the enquiry officer.
- (6) All the copies of the documents which were filed by the management were provided to him.
- (7) He was not given the permission of cross-examination of any witness adduced by the management.
- (8) The enquiry officer and other officers were talking in English during departmental proceedings and he was unable to understand the language.
- (9) He was afforded the opportunity for adducing evidence in defence.
- (10) Copy of the enquiry report was not provided to him. He has received the show cause notice.

Thereafter, I have also heard learned counsel for the parties. The main contentions on the fairness of the enquiry of the workman are that he was not conversant with the English language so he cannot understand the nature of enquiry conducted against him, opportunity for cross-

examination of the witness of management was not given, he was not afforded the opportunity to adduce the evidence in defence and he was not provided with the copy of the enquiry report. I have gone through the entire materials on record. From proceedings of enquiry, it has come to the notice of this Tribunal that on 29-07-2005 and 30-07-2005 workman was permitted to engage his defence representative. The defence representative was engaged and the same was allowed by the enquiry officer to proceed with in the enquiry according to law. The above proceedings also proved that one Shri S. K. Gattar was appointed as a translator to translate the entire proceedings before the enquiry officer in the language known to the workman. The language of the workman was Punjabi and Shri S. K. Gattar was very well versed in Punjabi & English languages. The proceedings of the enquiry contains the certificate by the enquiry officer that Shri S. K. Gattar, as translator has translated the sentences from English to Punjabi to enable to the workman to understand the nature of enquiry. On perusal of the entire materials on record it is also evident that every possible opportunity for cross-examination was afforded to the defence representative. Every witness was cross-examined. The opportunity for adducing evidence in defence was also given. Letter dated 06-12-05 also proved that on a plea raised by the workman before the disciplinary authority about non-supplying the copy of the enquiry report the disciplinary authority has supplied the copy of the enquiry report afresh before moving further for awarding the punishment.

Thus, I am of the view that a fair and proper enquiry was conducted by the enquiry officer and there has been no violation of any rules of principle of natural justice.

This finding is regarding the fairness and reasonableness of enquiry. Meaning thereby, whether the procedure for conducting the enquiry was adopted by the enquiry officer or not? While deciding the issue on fairness of enquiry, the Tribunal has also to visualize whether there is any violation of any rules of principle of natural justice. This Tribunal has not to go beyond this while deciding this issue of fairness of enquiry.

It is also important to mention that while deciding the issue on fairness of enquiry, this Tribunal is not legally bound to record the oral evidence of the parties. If in the opinion of the Tribunal, the issue of fairness of enquiry can be adjudicated and decided on the basis of the documents supplied by the parties, it is not mandatory to record the oral evidence. This Tribunal is of the view that complete file of the proceedings is on record which is sufficient to disposed off the issue on fairness of enquiry. Accordingly, this issue is decided.

There is a difference in conducting the enquiry in a fair and proper manner in compliance of the principle of natural justice and the decision making of the enquiry officer and the disciplinary authority. There may be cases

where the enquiry might have been conducted in a very fair and proper manner but the decision making of the enquiry officer or the disciplinary authority may suffers with any perversity. The perversity may be for non-evaluating the evidence properly or evaluating the evidence which has not placed before the enquiry officer. No doubt, this Tribunal cannot act as the appellate authority of the enquiry officer and the disciplinary authority, but a limited scope is left regarding the perversity and illegality in decision making. Before giving any finding on perversity and illegality on account of the enquiry officer and the disciplinary authority, if any, it is mandatory to afford the opportunity for adducing evidence to both of the parties. Thus, while holding that an enquiry was fairly and properly conducted in pursuance of the principle of natural justice, this Tribunal is affording the opportunity for adducing evidence to both of the parties on following two issues :

(1) On perversity in decision making, if any, of the enquiry officer and the disciplinary authority.

(2) Quantum of punishment.

Both of the parties are directed to adduce their evidence on both of the issues mentioned above on 05-07-2010 positively. Parties be informed.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 26 अक्टूबर, 2010

का.आ. 2904.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय जीवन बीमा निगम के प्रबंधन के संबंध में निम्नलिखित और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एल सी/आर/149/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-10-2010 को प्राप्त हुआ था।

[सं. एल-17012/23/96- आई आर(बी 11)]

डी.एस.एस.श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 26th October, 2010

S.O. 2904.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGFI/LC/R/149/97) of the Central Government Industrial Tribunal/Labour Court, Jabalpur now as shown in the Annexure, in the Industrial dispute between the employees in relation to the management of Life Insurance Corporation of India and their workmen, which was received by the Central Government on 22-10-2010.

[No. L-17012/23/96-IR (B-11)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

No. CGIT/LC/R/149/97

Presiding Officer : Shri MOHID. SHAKIR HASAN

Shri Rajendra Singh Solanki,
42, Block Colony, Nai Aawadi,
Mandsour, Madhya Pradesh ... Workman/Union

Versus

Sr. Divisional Manager,
Life Insurance Corporation of India,
Divisional Office,
Jeewan Prakash, 19, M. G. Road,
Indore ... Management

AWARD

Passed on this 4th day of October, 2010

1. The Government of India, Ministry of Labour vide its Notification No. L-17012/23/96-IR(B-II) dated 26-5-97 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of L.I.C of India in terminating the services of Shri Rajendra Singh Solanki w.e.f. 14-6-94 is legal and justified? If not, to what relief the said workman is entitled?”

2. The workman appeared on 19-11-2001 in person but did not file statement of claim. Lastly the then Tribunal proceeded ex parte against the workman on 7-2-2007.

3. The management also appeared through his lawyer but did not file any Written Statement. Lastly the management also became absent in the reference.

4. It is evident that the workman does not want to raise any Industrial Dispute or he has no case to contest with the management though sufficient time was granted. Thus the reference is answered.

5. In the result, no dispute award is passed without any costs.

6. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

MOHID. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 26 अक्टूबर, 2010

का.आ. 2905.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार केनरा बैंक के प्रबंध तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 169/2003) को एकत्रित करती है, जो केन्द्रीय सरकार को 22-10-2010 को प्राप्त हुआ था।

[मं. एल 12012/123/2003-आई आर(बी-II)]

डॉ. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 26th October, 2010

S.O. 2905.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.169/2003) of the Central Government Industrial Tribunal/Labour Court, Chandigarh now as shown in the Annexure, in the Industrial dispute between the employees in relation to the management of Canara Bank and their workmen, which was received by the Central Government on 22-10-2010.

[No. L-12012/123/2003-IR (B-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH

Case ID No.169/2003

Sh. Sudesh Kumar S/o Sh. Amar Nath, R/o NJ-42, Mohalla
Malkan, Jalandhar City, Punjab

...Applicant

Versus

Dy. Genl. Manager, Canara Bank, Circle Office,
Sector-34, Plot No.1, Chandigarh-160017.

...Respondent

APPEARANCES

For the workman : Shri B. N. Sehgal

For the management : Shri N. K. Zakhmi

AWARD

Passed on 12-10-2010

Government of India vide Notification No. L-12012/123/2003-IR(B-II) dated 16-09-2003, by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal :—

“Whether the action of the management of Dy. General Manager, Canara Bank, Chandigarh in dismissing Shri Sudesh Kumar S/o Shri Amar Nath, Ex Special Asstt. from services w.e.f. 7-6-2003 is just and legal? If not, what relief the Workman is entitled to and from which date?”

The case of the workman in nut shell is that while working as Special Assistant Canara Bank at Malhiran Gate, Jalandhar branch, his wife Smt. Komal Devgan has issued a cheque favouring M/s. Triputi Capital Service Ltd. for Rs.10000 bearing Cheque No. 976321 dated 18-2-1999 from saving bank account No. 6777 maintained at the same Canara Bank Branch. His wife was short of funds. He contacted Smt. Davinder Kaur working with him in the same branch on 22-2-1999 and she consented to extend the financial help for a short period and permitted him to transfer an amount of Rs. 10,000 from her OD account to the account of his wife on 23-2-1999, the day.

cheque favouring M/s. Triputi Capital Service was presented. As Smt. Davinder Kaur was on leave on that day her written authorization could not be taken. Necessary debit and credit slips were acted upon on due authorization from Shri K.K. Bhalla, the then Manager for transferring the said amount and the amount was debited by Mr. Pardeep Malhotra concerned clerk in the book of the accounts. From 22-2-1999, Smt. Davinder Kaur was on leave and on 27-2-1999, workman transferred the amount of Rs. 10,000 from his wife's account to the OD account of Smt. Davinder Kaur. On 27-2-1999, Smt. Davinder Kaur was requested to put her signature on the reverse of voucher dated 23-2-1999, but she refused on account of being the member of rival union. Smt. Davinder Kaur lodged a complaint on 9-3-1999 against the workman for which he was issued a charge sheet dated 18-1-2000. After departmental enquiry disciplinary authority awarded the punishment dismissing the workman from services. Appeal preferred by the workman was also dismissed.

The management appeared and filed the written statement. It was denied by the workman that any consent was taken from Smt. Davinder Kaur for withdrawing Rs. 10,000 from her OD account. Enquiry was fairly and properly conducted and as per the contention of the management punishment awarded to him was/is proportionate to the committed misconduct. Both of the parties were heard on fairness of enquiry on 19-11-2009. Enquiry was held to be proper and fair and in accordance with the principle of natural justice vide order dated 19-11-2009. Both of the parties were afforded the opportunity for adducing evidenced on perversity of decision making and on quantum of punishment. Evidence of the parties was recorded. Complete enquiry file has been filed by the management.

I have heard the parties at length.

The main issues for adjudication before this Tribunal are as follows:

1. Whether enquiry officer has rightly held all the charges well proved against the workman?
2. Whether the act of workman constitutes any misconduct, if yes, the nature of misconduct?
3. Whether the punishment awarded to the workman is disproportionate?
4. Relief

Firstly I am taking issues Nos. 1, 2 and 3 for adjudication. All these issues are related to each other. Discussion on one issue shall other. According, all these issues are hereby answered simultaneously. On perusal of material on record, it is evidently clear that the workman was charge sheeted for the following three counts:

The charge sheet given to the workman is as follows:

"Whereas, there are prima facie grounds for believing that you have committed misconduct the particulars whereof are given below, this Charge sheet has been drawn up against you and you are hereby required to submit to us within fifteen days

of the receipt of this charge sheet a statement in writing setting forth your defence, if any, and showing cause as to why disciplinary action should not be taken against you."

CHARGE

You are presently working as a Special Assistant at our Canara Bank, M H Gate, Jalandhar since 18-5-98.

Smt. Davinder Kaur (53491), clerk is maintaining an DD Account with our M H Gate Jalandhar Branch. On 23-2-99, you prepared/authorized a debit slip for Rs. 10,000 for debiting the DD Account of Smt. Davinder Kaur unauthorisedly. The above said proceeds of Rs. 10,000 were credited to the SB Account No. 6777, standing in the name of your wife, Smt. Komal Devgun and the relative credit slip was also prepared by you. The above said amount of Rs. 10,000 was got transferred by you unauthorisedly to the SB Account No. 6777, standing in the name of your wife Smt. Komal Devgun, to facilitate the passing of the cheque bearing no. 976321 dated 18-2-99 issued by her favouring M/s. Triputi Capital Services (Pvt.) Ltd. The above said amount of Rs. 10,000 was transferred back to DD Account of Smt. Davinder Kaur on 27-2-99.

Smt. Davinder Kaur (53491), Clerk was on leave on 23-2-99 and her on account had been got debited by you for transferring Rs. 10,000 to the SB Account of your wife unauthorisedly and without her consent/permission. An investigation conducted into the matter has confirmed the above.

An explanation was called for from you for your above said acts by our Staff Section (W), Circle Office, Chandigarh vide their letter no. CHSW 2935 EP 99 MAN dated 16-4-99 and the reply submitted by you was found neither convincing nor satisfactory.

By your above acts you have misused your official position and tempered the records of the Bank by preparing/authorizing the debit/credit slips to transfer the amount from the DD Account of Smt. Davinder Kaur to the SB Account of your wife fraudulently.

By your above acts you have failed to discharge your duties with utmost integrity, honesty and thus committed a Gross Misconduct within the meaning of Chapter XI Regulation 2A(i) of Canara Bank Service Code.

By your above action, you have willfully caused damage/attempted to cause damage to the property of the Customers/Bank and committed a Gross misconduct within the meaning of Chapter XI, Regulation 3(j) of Canara Bank Service Code.

Your above acts being prejudicial to the interests of the Bank, you have committed a Gross Misconduct within the meaning of Chapter XI, Regulation 3(m) of Canara Bank Service Code.

18 Jan. 2000
Circle Office,
Chandigarh

Sd/

DEPUTY GENERAL MANAGER

On plain reading of the charge sheet it is clear that the workman was charge sheeted under Regulation 3(i), 3(j) and 3(m) of chapter XI, Canara Bank Service Code. Regulation 3(i) is relating to gross negligence i.e. to say negligence involving or likely to involve the bank in serious loss. Regulation 3(j) is relating to willful damage or attempt to damage the property of the bank or any of its customer, whereas, Regulation 3(m) is relating to doing any act which is prejudicial to the interest of the bank. It is hereby made clear that all the three charges have been made against the workman for his single act of withdrawing Rs. 10,000 from the OD account of his colleague employee. Before discussing the nature of act committed by the workman and the charges levelled against him, it is important to mention the purpose of disciplinary action against the workman. Chapter XI of the Canara Bank Service Code, relating to disciplinary action opens with the purpose of disciplinary action. Clause 1 and 2 of Chapter XI reads as under :

“(1) Disciplinary action means imposing on an employee punishment as hereinafter provided with a view to punish or correct any misconduct on his part. Such action is said to be taken when an order imposing punishment is passed and the punishment imposed shall take effect on the date of the order unless the order specifies a different date for the purpose.

(2) Pointing out or correcting any mistake in the work done by or in the conduct of any employee, tendering to any employee, whether orally or in writing any advice or admonition, requiring any employee whether orally or in writing to explain any work done by him or any conduct on his part, or warning an employee that if he does not correct himself disciplinary action may have to be taken against him, or such or similar action is not disciplinary action.”

The plain reading of clause I and II of chapter XI of the Code makes it clear that the purpose of disciplinary action primarily is to correct a workman. The punishment is awarded when the act of the workman which constitutes the misconduct is beyond correction or even after opportunity to correct, the workman fails to correct himself.

The terms misconduct has also been defined by Hon'ble the Apex Court in Inspector Prem Chand Vs. Govt. of NCT of Delhi, 2007 (4) SLR 243. In para 8 of the judgment pronounced by Hon'ble Mr. Justice S.B. Sinha, relying upon several judicial pronouncement of Indian Courts and Abroad, the definition of misconduct has been mentioned as under:

“Code of conduct as set out in the conduct rules clearly indicates the conduct expected from a member of the service. It would follow that the conduct which is blameworthy for the Govt. servant in the context rules out to be misconduct if a servant conducts himself in a very inconsistent with due and faithful discharge of his duty in service, it is misconduct.”

In para 8 itself, Hon'ble the Apex Court, regarding the definition of misconduct relying upon the Stroud's Judicial dictionary has also held as under :—

“Misconduct means, misconduct arising from ill motive; acts of negligence, errors of judgments or innocent mistakes, do not constitute such misconduct”.

Now the duty of this Tribunal is to see whether the enquiry officer has considered the issue that the acts done by the workman were done with ill motive or it was an act of negligence or error in judgment.

There is no dispute on the issue that the workman has withdrawn an amount of Rs. 10,000 from the account of his colleague official and credited the same to the account of his wife for the purpose of clearance of her cheque. It is also admitted that Rs. 10,000 were further credited to the OD account of colleague official on 27-2-1999. The dispute is whether the colleague employee has permitted the workman to do so? The enquiry officer has held that there was no permission. Entire act of withdrawing the amount from OD account of Smt. Davinder Kaur and credited the same to the account of Smt. Komal, the wife of the workman was under the authority of the Manager concerned. The Manager concerned has permitted to debit and credited the amount.

All the employees irrespective of their cadre in the particular branch are like the member of a family. They individually and jointly discharge the functions entrusted to the branch. There is a fiduciary relationship between the employees of the branch concerned. This fiduciary relationship creates a trust between the members of the branch. This fiduciary relationship, trust and confidence is reflected from the act of the workman for debiting Rs. 10,000 from the account of another member of branch and Act of the Manager permitting to debit and credit Rs. 10,000 as head of the family. While dealing any matter of any misconduct such fiduciary relationship has to be kept in mind. Without disputing the issue whether Smt. Davinder Kaur has permitted the workman or not, it is clear that the workman has acted on the basis of trust and confidence stated earlier. There is no iota of evidence to show the ill intention of the workman for illegally and unauthorized withdrawing the amount of Rs. 10,000 and crediting the same to the account of his wife. It was a bonafide act supported by the Head of the family, the Manager of the branch. There is not a single sentence in evidence of any of the management's witness and in entire enquiry report that there was some ill motive and criminal intention of the workman behind the act.

The departmental proceedings run on the basis of justice, enquiry and good conscious. The purpose being it, for me, is to give colour to the provisions of chapter XI regarding disciplinary action. The disciplinary actions are initiated to correct the workman and thereafter to punish him proportionately. The terms justice, equity and good conscious, barred the enquiry officer and the disciplinary

authority to act in hipo technical manner. These terms requires the sensitization of the enquiry officer and the disciplinary authority to reach to the conclusion for all the reasons for which the act said to be misconduct was committed. The enquiry officer and the disciplinary authority have acted in hipo technical manner statically without any sensitization on the nature and cause of the act said to be misconduct. They have not given any thought to the inter-see trust and confidence between the members of the branch.

Smt. Davinder Kaur has refused to give any consent for withdrawing the amount from her OD account. But this fact came to her notice on 27-2-1999 and she filed a complaint on 9-3-1999. She had stated that she orally complained to the manager of the branch on 27-2-1999. She has also stated in her statement before the enquiry officer that she also complained orally on 28-2-1999 but the manager of the branch has stated that she has informed him orally on 27-2-1999 only. In her evidence before the enquiry officer she has stated that from 28-2-1999 to 9-3-1999 she was thinking over the further steps to be taken in this matter. The statement of Smt. Davinder Kaur was recorded prior to the statement of manager concerned. A question was asked by the defense representative that what was the reflection of the manager when Smt. Davinder Kaur complained to him on 28-2-1999? This question was not permitted to be asked reasons know to the enquiry officer. Thereafter, the statement of manager was recorded and the manager has in very specific terms mentioned that she made a complaint only on 27-2-1999 and not on 28-2-1999. Meaning thereby, Smt. Davinder Kaur was telling lie that she also made a complaint to the branch manager on 28-2-1999. The branch manager concerned was also guilty of approving the transaction without verifying the fact of permission given by said Davinder Kaur. The statement given by the branch manager that she made a complaint on 27-2-1999 is the outcome of that mistake which the manager has committed. At the cost of repetition, it is mentioned the workman and the manager both have acted under a trust and confidence of presumed consent of Smt. Davinder Kaur which is integral in behaviour of the members of the branch. No ill will or ill intention has been proved against the workman. Thus, it may be an error in judgment or act of negligence or inocent mistake for sanction/presumed sanction to help a colleague of the branch in the case of need and/or emergency. The workman has proved the emergency that for clearance of a cheque of Rs. 10,000 were required. Such type of acts, every colleague will do in ordinary course of nature. As stated earlier that all the members of the branch works as the member of the family under the trust and confidence and in case of emergency inter-see help is integral part of this trust. Certainly, it was a error of judgment and innocent mistake committed by the workman which can not said to be a misconduct. Enquiry officer and disciplinary authority have overlooked this issue. This is also the intention of Chapter XI of the Code

of Conduct of the Bank. In Chapter XI, Regulation I and II it is specifically reflected.

Moreover, there are certain clashes in the family. The clash is reflected on the way of making complaint by Smt. Davinder Kaur. She has stated that she orally complained to the manager on 27th and 28th of Feb. 1999, but the manager stated that he receive the oral complaint on 27th only and forwarded the same orally to the head office. There is no reason to wait up to 9th of next month for making the complaint. The complaint is after thought and instigated one. The above inference is clear from the cumulative evaluation of evidence adduced by both of the parties before the enquiry officer and before this Tribunal. Accordingly, issue No. 1, 2 and 3 are disposed off with a direction that no doubt the enquiry was conducted as per rules mentioned in Code of Conduct, but judgment of the enquiry officer and disciplinary authority suffered with perversity in decision making. The enquiry officer and disciplinary authority have not perused the fact that while working in the branch every employee irrespective of their cadre works hard unitedly as a family and in case of any problem with any member of the branch, the assistance by other is integral to such trust and confidence. The enquiry officer has reached to the conclusion technically without considering that he has to conduct the proceeding on enquiry, justice and good conscious.

Accordingly, the act of workman for which the enquiry was conducted does not constitute any misconduct. Moreover, the workman was charge-sheeted under rules 3(i), 3 (j) and 3 (m) of Chapter XI of the Code of Conduct, Rule 3 (i) is relating to gross negligence, to say negligence involving or likely to involve the bank in serious loss. Serious loss for the purpose of 3 (i) means the financial loss. The other types of losses are mentioned in other clauses of regulation 3 of Chapter XI. No financial loss has been caused to the bank or any customer of the bank or even to the colleague employee. Like wise charge under rule 3 (j) is relating to willful damage or attempt to caused damage to the property of the bank or any of its customer. Registers and ledgers of the bank account are the property of the bank and customers. The term willfully includes the term ill motive which is not present in the present reference. Lastly, the workman was also charged under rules 3 (m) of the Code which is relating to doing any act prejudicial to the interest of the bank. For the reasons mentioned in the body of this award the act of the workman may be termed as violative of trust and confidence which is inherent between the colleague employees of the branch, but it can not be said to be act prejudicial to the interest of the bank.

Thus, for the reasons mentioned in the body of the award the enquiry officer has wrongly held all the charges proved against the workman. In fact the workman has not committed any misconduct. One more fact has been brought to the notice of this Tribunal. The workman was prized for his excellent banking work in the branch. Apart from this

act of the workman, there is no complaint against the act and conduct of the workman during his 24 years service in the bank.

Thus, the part of the enquiry report holding the charges well proved against the workman, punishment awarded to him by the disciplinary authority and order of appellate authority dismissing his appeal are hereby quashed. The management is directed to reinstate the services of the workman with all consequential benefits within one month from the date of publication of the award. The reference is accordingly answered. Central Government be informed for publication of the award, and thereafter, file be consigned.

Chandigarh,

Dated 12-10-2010

G.K. SHARMA, Presiding Officer

नई दिल्ली, 27 अक्टूबर, 2010

का.आ. 2906.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ऑल इंडिया रेडियो के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, नई दिल्ली के पंचाट (संदर्भ संख्या 28/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-10-2010 को प्राप्त हुआ था।

[सं. एल-42011/13/2009-आई आर(डी.यू.)]

जोहन तोपनो, अवर सचिव

New Delhi, the 27th October, 2010

S.O. 2906.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 28/2009) of the Central Government Industrial Tribunal-cum-Labour Court No.1, New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of All India Radio and their workman, which was received by the Central Government on 27-10-2010.

[No. L-42011/13/2009-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE DR. R.K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
NO.1, KARARDOOMA COURTS COMPLEX, DELHI
ID No. 28/2009

Shri Rajinder Singh through General Secretary,
Delhi Labour Union, Aggrawal Bhavan,
G.T. Karnal Road, Tis Hazari, Delhi- 110054.

...Workman

Versus

The Director,
All India Radio (Akashwani & Doordarshan),
C.E. (N.Z.) Jamnagar House,
New Delhi - 110001.

...Management

AWARD

Rajinder Singh approached this Tribunal with a claim for reinstatement of his service with All India Radio and Doordarshan (hereinafter referred to as the management), when the appropriate Government had referred a dispute for adjudication vide order No. L-42012/59-97 dated 13-5-98. He agitated that he joined services with the management as a beldar on 3-04-84. His services were terminated with on 8-03-96 in an arbitrary and illegal manner. Despite opportunity the management failed to file written statement. Rajinder Singh tendered his affidavit as evidence, which was appreciated and relied by this Tribunal. His claim was granted, vide award dated 7-07-2000 and the Tribunal commanded that he was entitled for reinstatement in service with continuity and full back wages. The award, so passed, was unsuccessfully assailed by the management before the single judge as well as Division Bench of High Court of Delhi. Ultimately the management was constrained to reinstate services of Rajinder Singh, in pursuance of missives given in the award. After reinstatement, he raised a demand for regularization of his services. His demand was espoused by Delhi Labour Union (in short the Union), who filed a claim before the Conciliation Officer. Since conciliation proceedings failed, appropriate Government referred the dispute to this Tribunal, vide order No. L-42011/13/2009-IR (DU) dated 29-03-2009, with following terms:

"Whether the demand of Delhi Labour Union for regularization of services of Shri Rajinder Singh by the management of All India Radio. C.E. (N.Z.), Jamnagar House, is legal and justified? If yes, what relief the workman is entitled to?"

2. Claim statement was filed by the Union pleading that Rajinder Singh joined service of the management as beldar on 03-04-84. He was treated as a muster roll employee and paid minimum wages revised from time to time. His counter-parts, doing identical work and treated regular employees, were being paid salary in proper pay scales, besides allowances. His services were terminated on 08-03-96 without assigning any valid reason. He raised an industrial dispute, which was referred for adjudication to this Tribunal. Award dated 07-07-2000 was passed declaring that he was entitled for reinstatement in service with continuity and full back wages. The management assailed that award and lost before the single judge as well as Division Bench of High Court of Delhi. When award became final, he was allowed to join his duties by the management in 19-4-2005. He is entitled to be made permanent employee of the management. Non regularization of his service is illegal, unjust, malafide and amounts to unfair labour practice. The job, against which he is working is of permanent and regular in nature. Regular employees are getting wages higher than him. He gets status of a regular employee on completion of 90 days of continuous service, as provided in model standing orders framed under

Industrial Employment (Standing Orders) Act, 1946. Action of the management in not treating him regular and paying him less wages than regular employees of his category amounts to discrimination. His juniors have been regularized in service. It has been claimed that the management may be directed to regularize his services w.e.f. 03-04-84 and difference of salary on the principle of equal pay for equal work may be accorded to him.

3. Claim was demurred pleading that at no point of time the claimant was engaged by the management. There had been no employer and employee relationship between the claimant and the management. He approached this Tribunal in first round of litigation in 1998 and an award was passed in his favour on 07-07-2000. The said award was unsuccessfully assailed before single judge and Division Bench of the High Court of Delhi. When award became final, management had to engage the claimant in terms of directions contained in the award. It has been projected that mere completion of 240 days in service nowhere ripens into a claim for regularization in Government service. He is not entitled for regularization of his services or any other relief claimed by him. His claim statement, being devoid of merits, may be dismissed.

4. Rajinder Singh tendered his affidavit as evidence, besides some documents. He was cross examined at length on behalf of the management. He also examined Shri Surender Bhardwaj (WW2) in support of his case. Shri S. A. Tripathi (MW1) tendered his affidavit as evidence on behalf of the management. He was cross examined at length on behalf of the claimant. No other witness was examined by either of the parties.

5. Arguments were heard at the bar. Shri Mohd. Farrukh authorised representative advanced arguments on behalf of the claimant. Shri S. M. Arif authorised representative, raised his submissions on behalf of the management. I have given my careful considerations to the arguments advanced at the bar and cautiously perused the record. My findings on issues involved in the controversy are as follows:

6. Shri S. A. Tripathi swears in his affidavit that at no point of time the claimant was engaged by the management for the job alleged to have been performed by him. There had been no employer and employee relationship between the claimant and the management. However claimant earlier approached this Tribunal when industrial dispute No. 137 of 98 was referred to it for adjudication by the appropriate Government. The said dispute was answered in favour of the claimant vide Award dated 07-07-2000, placing reliance on his uncontroverted affidavit. The award was unsuccessfully assailed before the single judge and the Division Bench of Delhi High Court. When management failed to assail the award, claimant was taken on duty under forced circumstances. He projects that in terms of the directions given by this Tribunal in its award, the claimant was engaged as a casual labour.

7. Whether the management can be permitted to re-agitate the issues which were adjudicated by this Tribunal

vide its award dated 07-07-2000? For an answer, the Tribunal has to consider as to whether principles of res-judicata can be invoked. It is well settled that entire Code of Civil Procedure, 1908 (in short the Code) is not applicable to an industrial adjudication, yet principles of res-judicata laid down under Section 11 of the Code are applicable wherever possible. In *Straw Board Manufacturing Company Ltd.* [1974 (1) LLJ 499] the Apex Court observed:

"This is so since multiplicity of litigation, agitation and re-agitation of the same dispute at issue between the same employer and his employees will not be conducive to industrial peace which is principle object of all labour legislation bearing on industrial adjudication but in holding that the principles of res-judicata is applicable to a particular case, operating consideration is whether a matter in dispute in a subsequent case had earlier been directly and substantially in issue between the same parties and the same has been heard and fully decided by the Tribunal. The earlier question of issue must be relevant and german in determining question of res-judicata in subsequent proceedings. The real character of the controversy between the parties is the determining factor and in complex and manifold one relation between the labour and capital giving rise to diverse kind of ruptures of varying nuances no cast iron rule can be laid down. Some distinction of whatever shade of magnitude may have to be borne in mind in compliance of the principles of res-judicata in industrial adjudication in contravention to civil proceedings."

8. In *Hindustan Lever Ltd.* (1984 Lab. LC. 276) the Apex Court laid that "though this is highly technical concept of civil justice may be kept in precise confined limits in the field of industrial adjudication which must as far as possible be kept free from such technicalities which thwart resolution of industrial disputes, it can safely be said that principle analogous to res-judicata can be availed of to scuttle any attempt at raising industrial disputes repeatedly in defiance of operative settlements and awards."

9. In *Punjab Cooperative Bank Ltd.* [1975 (II) LLJ 373] the Apex Court upheld the validity of the application of principles of res-judicata to an issue raised in subsequent proceedings under Section 33 (C)(2) of the Act which had already been decided by a competent labour court in that regard in earlier industrial dispute. In *Bombay Gas Company Ltd.* [1975 (II) LLJ 345] the Apex Court had gone to the extent of even applying principles of constructive res-judicata. Justice Alagiriswami, speaking for the court observed:

"The doctrine of res-judicata is a wholesome one which is applicable not merely to matters covered by the provisions of the Code of Civil Procedure but to all litigations. It proceeds on the principle that there should be no unnecessary litigation and whatever

claims and defences are open to parties should all be put forward at the same time, provided no confusion is likely to arise by so putting forward all such claims."

10. In *Mumbai Kamgar Sabha* [1976 (II) LLJ 186], commenting on the above case, justice Krishna Iyer observed that, "it is clear law, so long as the above ruling stands, that industrial litigation is no exception to the general principle underlying the doctrine of *res-judicata*." The court entertained a doubt about, "the extension of the sophisticated doctrine of constructive *res-judicata* to industrial law which is governed by special methodology of conciliation, adjudication and considerations of peaceful industrial relations, where collective bargaining and pragmatic justice claim precedence over formalised rules of decision based on individual contests, specific causes of action and findings on particular issues", but *Bombay Gas Company Ltd. case* (supra) was distinguished on the basis of the observations in that case that "If the workers are dis-satisfied with any of the items in respect of which their claim has been rejected, it is open to them to raise a fresh dispute". This observation was interpreted to mean that "if a fresh dispute had been raised, after terminating a prior award, no bar of *res-judicata* could have been urged". For the purpose of attracting principles of *res-judicata*, the issue in the two proceedings must be common. The real character of controversy between the parties is the determining factor. An award relating to termination of services of a workman, after being given the effect to, does not impose any continuing obligation on the workman or the employer. The award, therefore, becomes final and shall not cease to be operative after lapse of one year. It cannot be terminated by a notice under sub section (6) of Section of 19 of the Act. That dispute cannot be referred to adjudication subsequently. The principles of *res-judicata*, as enunciated in *Burn & Company Ltd.* [1957 (I) LLJ 226] would apply to such a case with full force.

11. As detailed above, Shri S. A. Tripathi agitates that the claimant was not engaged by the management at any point of time for the job alleged to have been performed by him. There was no relationship of employer and employee between the parties. They further agitate that the claimant approached this Tribunal with an industrial dispute being I.D. No 137 of 1998, which dispute was adjudicated, vide award dated 07-07-2000. The award was unsuccessfully assailed before the single judge and Division Bench of the High Court and as such the management was constrained to take the claimant on duty under forced circumstances. Therefore, out of those facts, it is emerging that the management is re-agitating the issue to the effect that the claimant was not engaged by it for the job alleged to have been performed by him. Award Ex. WW1/2, proved by the claimant, when scanned bring it to light that an issue was referred for adjudication as to whether action of the management in terminating the services of Rajinder Singh w.e.f. 08-03-96 was just, fair

and legal, if not to what relief claimant was entitled to. For adjudication of those issues, claimant projected that he joined services under the management w.e.f. 03-04-84 as beldar. He was paid wages less than minimum wages revised from time to time. His services were terminated w.e.f. 08-03-96. Therefore, it is obvious that the claimant raised issues of his engagement by the management as a beldar on 03-04-84 and termination of his services in an illegal manner on 8-3-96. These issues were answered in favour of the claimant and he was ordered to be reinstated in services of the management with continuity and full back wages, vide award referred above. Consequently it is evident that the issues which the witnesses want to raise now, were agitated before this Tribunal in first round of litigation, which was lost by the management. Award Ex. WW1/2 has become final. The management cannot be permitted to re-agitate those issues by way of application of principles of *res-judicata*. Therefore, the evidence of Shri S. A. Tripathi on above facts are discarded and management is not permitted to reopen those very issues which were adjudicated by this Tribunal vide award Ex. WW1/2.

12. Claimant deposes that at present he is working in the office of Shri K. L. Yadav, Director, which office is located in Jamnagar House, New Delhi. He was transferred there in the year 2005. Prior to that he was working in Division D-6, Mall Road, New Delhi, since 1984. Deputy Director is incharge of that division. There was no contractor there at that time. When his services were dispensed with, he raised an industrial dispute claiming reinstatement of service. He further stated that 20-22 persons of his category are working in Jamnagar House, New Delhi, out of whom 7 or 8 are junior to him. All seniors of his category are regular employees. In 1996 his services were terminated. At the time of working in a project at Khanpur and Kingsway Camp his working hours were six days a week. He denied that he never worked for 240 days in any calendar year prior to 1996. He stated that his juniors namely, Gajadhar, Arun, Rohtas etc. have been regularized. However no evidence was brought to light to establish that he fell in the same bracket, in which above named persons were placed. Shri S.A. Tripathi concedes, during the course of his cross examination that job performed by the claimant is of perennial in nature. However, confidential documents/files are not placed in his hands. No regular employee is working in the category in which claimant is working. Group D employees are there, who were appointed in permanent capacity.

13. Canvassing facts Shri Farrukh argued that the claimant has been working with the management since 1984, who is under an obligation to regularize his services. He projects that the Industrial Dispute Act, 1947 (in short the Act) imposes an obligation on the management not to keep an employee as temporary or to continue him as such for years with an object to deprive him status and privilege of

permanent employee. He agitates that entry 10 to Fifth schedule of the Act makes such an effort of the management unfair labour practice", which has been prohibited and made penal on the strength of Section 25-T and 25-U of the Act respectively. Since there is an obligation on the management to make an employee regular and permanent which obligation has not been performed qua the claimant, he is entitled for an award in that regard. Shri Arif agitates that since no permanent post is available with the management, this Tribunal cannot order creation of a new post and then to order management to regularise services of the claimant.

14. To appreciate rival submissions on the issue, it would be expedient to ascertain as to whether the claimant entered service of the management in consonance with recruitment rules. Award Ex. WW1/2 would throw light on that issue. The Tribunal details therein that the claimant projects to have joined services of the management on 03-04-84 as beldar. He was being treated as muster roll worker. He was paid wages much less than the minimum wages revised from time to time. He was drawing wages @ Rs. 1200 PM, while his counter-parts, doing identical works and treated as regular employees, were paid salaries in pay scale of Rs. 750-940, with usual allowances. The Tribunal further details that the claimant asserted that he was performing job of a regular and permanent nature. The facts so detailed were re-affirmed by the claimant in his affidavit, filed as evidence. Therefore, it is evident that the claimant joined job as a labour on muster roll. He was treated as a casual employee. He nowhere asserts that he was engaged in consonance with recruitment rules, on a regular post. Recruitment of the claimant was on casual basis, for which he was paid a fixed wages of Rs. 1200 PM. No case was projected that at the time of his engagement vacancies were advertised for public at large, he made an application in response to that advertisement, interviewed was held, and thereafter he was selected on the post of a labour. No case was projected that reservation policy was followed. Consequently it is emerging out of award Ex. WW1/2 that engagement of the claimant was not against any regular or permanent post and that too in consonance with recruitment rules.

15. Whether the Government can engage an employee for casual jobs? Answers has been provided by O.M. No. 49014/2/86-Estt. (C) dated 7th of June, 1988 issued by Department of Personnel and Training, Ministry of Personnel Public Grievances and Pensions, Government of India, New Delhi. In that office memorandum policy regarding engagement of casual workers was revised by the Government, in view of the judgment handed down by the Apex Court in *Surender Singh's case* [1986 (1) SCC 632]. The said office memorandum projects that persons on daily wages should not be recruited for work of regular nature. Recruitment of daily wager may be made only for

work which is of casual or intermittent nature or for work which is not of full time nature, for which regular post cannot be created. In the matter of regularization of a casual worker instructions issued by Department of Personnel and Training would be taken into account. While considering such regularization, a casual worker may be given relaxation in upper age limit only if at the time of initial recruitment, he had not crossed upper age limit for the relevant post. The memorandum went on to provide that all eligible casual workers should be adjusted against regular post to the extent such regular posts are justified. The rest of casual workers, whose retention is absolutely necessary should be paid emoluments in accordance with the guidelines. The remaining casual workers should be discharged from service. Therefore, it is evident that the casual workers, who had not crossed upper age limit at the time of his initial engagement can be absorbed in post, if a vacancy exists for him. When there is absolute necessity to retain a casual worker, for whom no regular post exists, he is to be paid in accordance with the guidelines contained in the office memorandum, while others are to be discharged. Therefore, right of the Government to engage a casual worker in exigencies has been recognized by the aforesaid office memorandum.

16. Whether a casual worker have a claim for regularization/absorption in job? Such proposition came up for consideration before the Apex Court in *Uma Devi* [2006 (4) S.C.C. 1], wherein claim of casual workers for regularization or absorption was declined. It is expedient to reproduce the law laid by the Apex Court, which is extracted thus :

"Thus, it is clear that adherences to the rule of equality in public employment is a basic feature of our Constitution and since rule of law is the core of our Constitution, a court would certainly be disabled from passing an order upholding a violation of Article 14 or in ordering the overlooking of the need to comply with the requirements of Articles 14 read with Article 16 of the Constitution. Therefore, considering a scheme for public employment, this court while laying down the law, has necessary to hold that unless appointment is in terms of the relevant rules and after a proper competition amongst qualified persons, the same would not confer any right on the appointee. If it is a contractual appointment, the appointment comes to an end at the end of the contract, if it were an engagement or appointment on daily wages or casual basis, the same would come to an end when it is discontinued. Similarly, a temporary employee could not claim to be made permanent on the expiry of his term of appointment. It has also to be clarified that merely because a temporary employee or a casual wage worker is continued for a time beyond the term of his appointment, he would not be entitled to be absorbed in regular service or made

permanent, merely on the strength of such continuance, if the original appointment was not made by following a due process of selection as envisaged by the relevant rules. It is not open to the court to prevent regular recruitment at the instance of temporary employees whose period of employment has come to an end or of ad hoc employees who by the very nature of their appointment, do not acquire any right....."

"45. While directing that appointments, temporary or casual, be regularized or made permanent, the courts are swayed by the fact that the person concerned has worked for some time and in some cases for a considerable length of time. It is not as if the person who accepts an engagement either temporary or casual in nature, is not aware of the nature of his employment. He accepts the employment with open eyes. It may be true that he is not in a position to bargain-not at arm's length-since he might have been searching for some employment so as to eke out his livelihood and accepts whatever he gets. But on that ground alone, it would not be appropriate to jettison the constitutional scheme of appointment and to take the view that a person who has temporary or casually got employed should be directed to be continued permanently. By doing so, it will be creating another mode of public appointment which is not permissible. If the court were to void a contractual employment of this nature on the ground that the parties were not having equal bargaining power, that too would not enable the court to grant any relief to that employee. A total embargo on such casual or temporary employment is not possible, given the exigencies of administration and if imposed, would only mean that some people who at least get employment temporarily, contractually or casually, would not be getting even that employment when securing of such employment brings at least some succor to them. After all, innumerable citizens of our vast country are in search of employment and one is not compelled to accept a casual or temporary employment if one is not inclined to go in for such an employment. It is in that context that one has to proceed on the basis that the employment was accepted fully knowing the nature of it and the consequences flowing from it. In other words, even while accepting the employment, the person concerned knows the nature of his employment. It is not an appointment to a post in the real sense of the term. The claim acquired by him in the post which he is temporarily employed or the interest in that post cannot be considered to be of such a magnitude as to enable the giving up of the procedure established, for making regular appointments to available posts in the services of the State. The argument that since one has been working for some time in the post, it will not be just to discontinue him, even though he

was aware of the nature of the employment when he first took it up, is not (sic) one that would enable the jettisoning of the procedure established by law for public employment and would have to fall when tested on the touchstone of constitutionality and equity of opportunity enshrined in Article 14 of the Constitution."

17. In P. Chandra Shekhara Rao and Others [2006 (7) SCC 488] the Apex Court referred Uma Devi's Case (Supra) with approval. It also relied the decision in a Uma Rani [2004 (7) SCC 112] and ruled that no regularization is permissible in exercise of statutory powers conferred in Article 162 of the Constitution, if the appointment have been made in contravention of the statutory rules. In Somveer Singh [2006 (5) SCC 493] the Apex Court ruled that appointment made without following due procedure cannot be regularized. In Indian Drugs & Pharmaceuticals Ltd. [2007 (1) SCC 408] the Apex Court reiterated the law and announced that the rules of recruitment can not be relaxed and court can not direct regularisation of temporary employees dehors the rules, nor can it direct continuation of service of a temporary employee (whether called a casual, ad-hoc or daily reted employee) or payment of regular salaries to them.

18. The Apex Court had to consider those very propositioning in Daya Nand and Others [2008 (10) S.C.C. 1] wherein the above proposition was reaffirmed. The court rules as follows:

"68 The above noted judgments and orders encouraged the political set-up and bureaucracy to violate the soul of Articles 14 and 16 as also the provisions contained in the Employment Exchanger (Compulsory Notification of Vacancies) Act, 1959 with impunity and the spoils system which prevailed in the United States of America in the sixteenth and seventeenth centuries got a firm foothold in this country. Thousands of persons were employed/engaged throughout the length and breadth of the country by backdoor methods. Those who could pull strings in the power corridors at the higher and lower levels managed to get the cake of public employment by trampling over the rights of other eligible and more meritorious persons registered with the employment exchanges. A huge illegal employment market developed in different parts of the country and rampant corruption afflicted the whole system. This was recognized by the Court in Delhi Development Horticulture Employees' Union v. Delhi Admn. in the following words (SCC pp. 111-12, page 23).

"23. Apart from the fact that the petitioners cannot be directed to be regularized for the reasons given above, we may take note of the pernicious consequences to which the direction for regularization of workman on the only ground that they have put in work for 240 or more days, has been leading. Although there is an Employment Exchange

Act which requires recruitment on the basis of registration in the Employment Exchange, it has become a common practice to ignore the Employment Exchange and the persons registered in the Employment Exchanges, and to employ and get employed directly those who are either not registered with the Employment Exchange or who though registered are lower in the long waiting list in the employment register. The courts can take judicial notice of the fact that such employment is sought and given directly for various illegal considerations including money. The employment is given first for temporary periods with technical breaks to circumvent the relevant rules, and is continued for 240 or more days with a view to give the benefit of regularization knowing the judicial trend that those who have completed 240 or more days are directed to be automatically regularized. A good deal of illegal employment market has developed resulting in a new source of corruption and frustration of those who are waiting at the Employment Exchanges for years. Not all those who gain such backdoor entry in the employment are in need of the particular jobs. Though already employed elsewhere, they join jobs for better and secured prospects. That is why most of the cases which come to the courts are of employment in government departments, public undertakings or agencies. Ultimately it is the people who bear the heavy burden of the surplus labour. The other equally injurious effect of indiscriminate regularisation has been that many of the agencies have stopped undertaking casual or temporary works though they are urgent and essential for fear that if those who are employed on such works are required to be continued for 240 or more days they have to be absorbed as regular employees although the works are time-bound and there is no need of the workman beyond the completion of the works undertaken. The public interests are thus jeopardized on both counts."

19. In subsequent sections of the judgment, the court declined the request for absorption of casual employees. It ruled thus.

"116. In our opinion, any direction by the court for absorption of all company-paid staff would be detrimental to public interest in more than one ways. Firstly, it will compel the Government to abandon the policy decision of reducing the direct recruitment to various services. Secondly, this will be virtual abrogation of the statutory rules which envisage appointment to different cadres by direct recruitment."

20. At the cost of repetition, it is said that the claimant was engaged on casual basis as a labour. Rules of recruitment were not followed. Procedure established for making regular appointment was not adhered to when claimant was engaged on casual basis. It has also not been shown that the claimant has not crossed upper-age limit at the time when he was initially engaged on casual basis.

Therefore, absorption of the claimant would amount to degradation of established procedure for making regular appointment to available posts. Under these circumstances, I do not find it to be a case where the management should be commanded to absorb the claimant on the post on which he is working since long."

21. Shri Farrukh projects that the Apex Court had no occasion to consider provisions of the Act, in the precedents referred above. He agitates that this Tribunal exercises a larger jurisdiction in the matter of industrial adjudication than the constitutional courts. According to him, this Tribunal should command the management to absorb the claimant on the post, so that unfair labour practice adopted by the former may discontinue. Admittedly employing a workman as badli, casual or temporary and to continue him as such for years, with the object of depriving him of the status and privilege of permanent workman amounts to unfair labour practice. To term act of the management as an unfair labour practice, following ingredients are to be satisfied :

- (1) to employ a workman as badli, casual, or temporary, and
- (2) to continue him as such for years.
- (3) such continuance, should be with an object of depriving him the status and privilege of permanent workman.

22. Whether continuance of the claimant as casual employee for years is with an object of depriving him status and privilege of a permanent workman? For an answer it is incumbent upon the claimant to show that there were vacancies available with the management and despite availability of vacancies he has been continued as such for years and that too with a view to deprive him status and privilege of a permanent employee. Unfortunately the claimant failed to discharge onus resting on him. A feeble attempt was made on his behalf to show that one post of farash and three post of security guards are lying vacant with the management. Neither the claimant works as a farash nor as a security guard. A farash performs duties of sweeping and analogous menial jobs, while a security guard performs watch and ward duties. A casual labour performs sundry casual jobs. Therefore, it cannot be said that a post of casual labour is lying vacant with the management and with a view to deprive the claimant status and privilege of a permanent employee, he has been continued as an casual employee for years together. Consequently the claimant has not been able to establish that an unfair labour practice was being adopted and the management was under an obligation to purge the mischief. Therefore, on facts claimant has not been able to substantiate a case to argue that unfair labour practice was being committed by the management.

23. Undoubtedly this Tribunal has power to adjudicate industrial dispute and in that process it has a right to consider whether a workman was employed as badli, casual or temporary and continued as such for years

with a view to deprive him status and privilege of a permanent workman. While adjudicating so, this Tribunal may command the management to stop unfair labour practice and accord status and privilege of a permanent employee to the workman who was engaged as badli, casual or temporary and continued as such for years together. While making such an adjudication, the Tribunal cannot be oblivious to the proposition that engagement of such an employee was in consonance with the recruitment rules or violative of the policy of recruitment in Government job. It has also to take into account as to whether the casual workman was satisfying legitimate criteria for recruitment to the post when he was initially engaged for it. In case workman does not come up to the expectation provided in the recruitment rules and entered in the job through back-door in that situation this Tribunal may refuse to accord status and privilege of permanent employee to such a workman. Therefore, contention advanced by Shri Farrukh that this Tribunal had adjudicatory powers under the Act would not put the claimant to a better pedestal than one where he is placed. Industrial adjudicator would not give a go by to the policy of recruitment of government job to answer a dispute in favour of a claimant who is beneficiary of fraudulent system of employment or a back-door appointee. An industrial adjudicator will not compel the public authorities to act in violations of provisions of constitution, other statutes and recruitment rules formulated under Article 309 of the Constitution. Therefore, it is concluded that contention advanced by Shri Farrukh would not bring any accolade for the claimant.

24. There is other fact of coin. The claimant has not been able to show that a vacancy was in existence with the management for regularization of his service. When there does not exist a post, against which the claimant can be regularized/absorbed, this Tribunal would not enter into an exercise of commanding the Government to create a post for him. Creation of post involves financial implication. It is the administrative function of the Government to create a post and Courts/Tribunal are to exercise restraints in commanding the Government for creation of a post, to absorb a casual employee against it. Even otherwise for commanding the Government for creation of a post, the Tribunal had to consider long duration of work, extent to which it is available, number of permanent workman employed to discharge such jobs, financial viability of the institution in which the post is to be created and expediency of creation of such a post. None of these factors exist in the controversy under reference. Therefore, this Tribunal cannot proceed to command the Government to create a post for absorption of the claimant against it. All these circumstances make it clear that the demand raised by the union for regularization of the services of the claimant w.e.f. 03-04-84 is neither legal nor justified.

25. Though demand of the union for regularization of the service of the claimant is found not to be justified, yet there are certain factors which persuade me not to leave

the matter at this juncture. Reasons for the same are traceable in office memorandum No. 49014/2/86-Estt. (C) dated 7th June, 1988. It has been provided therein that when nature of work entrusted to casual workers and regular employees is the same, the casual workers may be paid @180th of the pay at the minimum of the relevant pay scale plus D.A. for the work of 8 hours day. Shri S. A. Tripathi concedes that job performed by the workman is of perennial in nature. Confidential documents files are not placed in his hand. Except that he is performing all functions, performed and entrusted to a regular employee. Therefore, it is evident that the claimant performs jobs, which are performed by regular employee of his category. The claimant swears in his affidavit that he is being paid lesser remuneration than regular employees of his category. Therefore, the Tribunal had to embark upon social and economic justice to reach ultimate decision of industrial adjudication.

26. Social justice is not based on contractual relations and not to be enforced on principles of contract of service. It is something outside these principles and is invoked to do justice without a contract to back it. Commanded the Apex Court in *Rashtrya Mazdoor Sangh [1960 (II) L.J. 263]*. In *Ahmedabad Mfg. and Calico Printing Co. Ltd. [1972 (II) L.J. 165]* Justice Dua speaking for the Supreme Court, observed:

"This concept of social justice has a comprehensive sweep and it is neither pedantic nor one-sided but is founded on socio-economic equality. It demands a realistic and pragmatic approach for resolving the controversy between capital and labour by weighing it on an even scale with the consciousness that industrial operations in modern times have become complex and complicated and for the efficient and successful functioning of an industry various amenities for those working in it are demand as essential for a peaceful and healthy atmosphere".

27. An industrial adjudicator cannot and should not ignore claims of social justice. It has to resolve conflicting claims of employer and employees by finding not one sided but a fair and just solution. Reference can be made to the precedent in *Indian Oxygen Ltd. [1969 (I) L.J. 235]*. Therefore, with a view to do social justice this Tribunal has to command the management to grant wages to the claimant in pursuance of the aforesaid office memorandum. His wages should be at the rate of 1/30th of the pay at the minimum of the relevant pay scale plus dearness allowance, applicable to a regular employee of his category for 8 hours a day, since the date of his reinstatement in service in pursuance of the award Ex. WW1/2. His difference of wages shall be paid within a period of three months from the date when the award becomes operative. An award is accordingly passed.

R. K. YADAV, Presiding Officer

Dated : 30-9-2010

नई दिल्ली, 27 अक्टूबर, 2010

का.आ. 2907.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.बी.एम.बी. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय न. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 280/2K5) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-10-2010 को प्राप्त हुआ था।

[सं. एल-23012/14/1994-आई आर(सी-II)]

डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 27th October, 2010

S.O. 2907.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.280/2K5) of the Central Government Industrial Tribunal-cum-Labour Court, No. I, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of BBMB and their workman, which was received by the Central Government on 27-10-2010.

[No. L-23012/14/1994-IR (C-II)]

D. S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Present: Sri A.K. Rastogi, Presiding Officer

Case No. I.D. 280/2K5

Registered on 26-06-1995

President Bhakra Nangal Mazdoor Sangh Nangal Township
District Ropar (Punjab) ... Applicant

Versus

The Chairman Bhakra Beas Management Board, Sector
19, Madhya Marg, Chandigarh ... Respondent

APPEARANCES

For the workman : Shri R.K.S. Parmar, AR.

For the management : Law Officer of BBMB

AWARD

Passed on 08 October, 2010

Central Government vide notification No.L-23012/14/94-IR-C-II dated 19-06-95, by exercising its powers under section 10 sub-section (1) Clause (d) and sub-section 2(A) of the Industrial Disputes Act, 1947 has referred the following Industrial Disputes for adjudication to this Tribunal:—

“Whether the action of the management of Bhakra Beas Management Board, Nangal Township not to give the same scales of pay and designation to

Chargeman/Asstt. Foreman in regular cadre in civil wing is legal and justified? If not, what relief the concerned workman are entitled and from what date?”

Bhakra Nangal Mazdoor Sangh (hereinafter called as Mazdoor Sangh) has raised an industrial dispute stating that Bhakra Beas Management Board (in short B.B.M.B.) has three categories of charge-men viz. 1 Work charge Charge-man; 2 Regular Charge-man and 3 Charge-man. The Charge-men of Electrical, Mechanical and Civil Wings are to be treated at par and they were enjoying the same Pay scales, but the management of Bhakra Beas Management Board arbitrarily and without any reason accorded better pay scales to the charge-men in Electrical and Mechanical trades by ignoring the charge-men employed in Civil wing and Irrigation wing vide letter No. 469/R&R/130/86/CM/R-4 dated 23-06-92. The management has no justification to ignore the charge-men employed in the civil and irrigation wing. The Mazdoor Sangh has claimed pay scales of Rs. 1800-3200 with effect from 1-1-1986 to all the charge-men and also a designation of Foreman to them.

The claim was contested by the management. In reply it was stated that there are different sets of service rules and conditions for work-charge and regular employees of BBMB. The work-charge staff employees are covered by the BBMB Certified Standing Orders, whereas the regular employees are covered by Punjab CSR and BBMB service regulations. The BBMB has revised pay scales on the pattern of P.S.E.B. with effect from 1-1-1986 in the irrigation wing for 8 categories of employees mentioned in the reply. According to the P.S.E.B. Circular adopted by the BBMB all the posts of charge-men/Assistant Foreman (Mechanical/Electrical) existing in Powerhouse and Grid Stations except posts of charge-men/Assistant Foremen for the Civil work of Power wing have been re-designated as Foreman. This circular is not applicable to the employees working in the Irrigation wing. The benefit to work-charge employees cannot be given at par with the regular employees.

It will be seen that in the claim statement the Mazdoor Sangh has claimed the same pay scales for all the charge-men whether employed in civil or any other trades and also the designation of Foreman for them. But the reference has been made about the charge-men/Assistant Foreman in regular cadre in civil wing only. The case of other categories of charge-men and employed in other wings are out of the purview of the reference. The Tribunal has to address itself to the following points only :

- (i) Whether the action of the management of BBMB Nangal Township not to give the same scale of pay and designation to charge-men/Assistant Foremen in regular cadre in Civil Wing is legal and justified?
- (ii) To what relief the concerned workmen are entitled and from what date?

On behalf of Mazdoor Sangh affidavits of Manoj Kumar Bhalla and Kashmiri Lal have been tendered. While on behalf of management M.K. Dhir, Director Dam Safety, BBMB has tendered his affidavit. I have heard the AR and the Law Officer of the management and have gone through the material on record. My findings are as follows :—

Point No. 1

The Mazdoor Sangh's witness Manoj Kumar Bhalla had joined the BBMB as charge-man Grade-II and is presently working as Foreman in Mechanical trade. The other witness Kashmiri Lal had joined the BBMB as charge-men Special Grade II. He is a retired employee and he was working in Electrical Trade. Both the witnesses have deposed that in all the pay Scales there is no difference in the pay scale of Charge-men holding the post of Civil work or Electrical or Mechanical work but the BBMB arbitrarily ignored the charge-men employed on the civil work and allowed the pay scale of Rs. 1800-3200 w.e.f. 1-1-1986 to the charge-men employed in Mechanical and Electrical side and charge-men in all the three categories had been enjoying the same pay scales from the very inception of the BBMB.

The Management witness M.K. Dheer in his affidavit however, has stated that according to P.S.E.B. Circular adopted by the BBMB all the posts of Charge-man/AFM (Mechanical and Electrical) existing in Powerhouses and its Substations except those of civil work were redesignated as Foreman. It is also significant that he has stated in his affidavit that the risk factor while discharging the duties in Powerhouses and Grid Sub Stations is much more as compared to civil work. In this regard it is also important to mention that workman's witness Manoj Kumar during cross-examination has admitted that the workmen working in the electrical, civil and mechanical wings have different natures of jobs and also that the working conditions of temporary and regular employees are different.

In the claim statement it has been stated that all the three categories of Charge-man were getting the same Pay scale earlier but there is no evidence to show that at any point of time the three categories of the Charge-man were getting the same pay scale. In the claim statement, there is a reference of Circular letter No. 2455-59/B-28/14/28 dated 22-02-74 but that has not been brought on record. Another document referred in the Claim statement is the Office Order No. 469/R&R/130/86(II)/CM/R/R-4 dated 23-06-92 which has been filed by the management. It is paper no. 50 of the record. Through this order the Charge-man/Assistant Foreman of Mechanical/Electrical wing in the Powerhouses and Grid Services Stations have been re-designated as Foreman. Charge-man and Assistant Foreman sanctioned for the civil work of Power wing have been excepted. Another letter referred in the claim statement is letter No. 18117/18212/PD/130/86/R-4 dated 24-05-89 is paper No. 73 on the record and it is on the subject of revision of pay

scales of PSEB and adoption thereof for the employees working in the BBMB.

The question is that whether the action of the management in not giving the same scale of pay to charge-man/Assistant Foreman in regular cadre in civil wing as was made available to charge-men of electrical and mechanical wing can be held illegal and unjustified by this Tribunal? In this regard case law cited by the Law Officer of the management is important. In State of Haryana & Others Vs Charanjit Singh & Others 2005 LAB. I.C. 4322 the Hon'ble Supreme Court held that the doctrine of equal pay for equal work is not an abstract doctrine and is capable of being enforced in a court of law. But equal pay must be for equal work of equal value. The principle of equal pay for equal work has no mechanical application in every case. The Hon'ble court further held that a mere nomenclature designating a person as say a carpenter or a craftsman is not enough to come to the conclusion that he is doing the same work as another carpenter or craftsman in regular service. The quality of work which is produced may be different and even the nature of work assigned may be different. It is not just a comparison of physical activity. The application of the principle of 'equal pay for equal work' requires consideration of various dimensions of a given job. The accuracy required and the dexterity that the job may entail may differ from job to job. It cannot be judged by the mere volume of work. There may be qualitative difference as regards reliability and responsibility. Functions may be the same but the responsibilities made a different. Thus, normally the applicability of this principle must be left to be evaluated and determined by the expert body. It was also held in this case that in any event the party who claims equal pay for equal work has to make necessary averments and prove that all things are equal. Thus, before any directions can be issued by a court, the court must first see that there are necessary averments and there is a proof.

Here in the case the Mazdoor Sangh has neither averred nor proved that with regard to all the three categories of Charge-man all the things are equal and further that at any point of time they were getting the same pay scales. The Hon'ble Supreme Court has held in the above case that normally the applicability of the principle for 'equal pay for equal work' must be left to and determined by an expert body. The BBMB is an expert body to evaluate and determine the pay scales to be given to the various categories of workman. There is no ground for holding the decision of the management in denying equal pay to the Charge-man/Assistant Foreman in civil wing as illegal and unjustified in view of the admission of claimants' witness Manoj Kumar that workmen working in the electrical, civil and mechanical wings have different nature of jobs and the statement of management witness M. K. Dhir is that the risk factor while discharging the duties in Power House

and Grid Sub-stations is much more as compared to civil work.

The similar position is with regard to the designation, for designation of Foreman also it must have been averred and proved that functions and responsibilities of the Charge-man in civil wing are the same as are of the Charge-man of mechanical and electrical wing who have been re-designated as Foreman. In absence thereof, the action of the management cannot be questioned.

On the basis of the above going discussions, it is held that in the present case, the action of the management of BBMB in not giving the same scale of pay and designation to Charge-man/Assistant Foreman in regular cadre in civil wing is not illegal and unjustified. Point no. 1 is decided against the Mazdoor Sangh.

Point No. 2

From what has been held above, it is clear that the Mazdoor Sangh or the concerned workmen are not entitled to any relief. Reference is answered against the Mazdoor Sangh. Let two copies of award after due compliance be sent to the Central Government for further necessary action.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 27 अक्टूबर, 2010

का.आ. 2908.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं बी.बी.एम.बी. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 969/2K5) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-10-2010 को प्राप्त हुआ था।

[सं. एल-23012/5/1996-आई आर(सी-11)]

डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 27th October, 2010

S.O. 2908.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 969/2K5) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of BBMB and their workman, which was received by the Central Government on 27-10-2010.

[No. L-23012/5/1996-IR (C-11)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Present: Sri A.K. Rastogi, Presiding Officer

Case No. I.D. 969/2K5

Registered on 12-08-1997

Shri Gulzar Singh S/o Sh. Gokal Chand, C/o R.K. Singh Parmar, Secretary, Punjab INTUC, 35-G Nangal Township, District Ropar (Punjab). ...Applicant

Versus

The Resident Engineer, Ganguwal, Kotla Power House Division, BBMB Ganguwal District Ropar (Punjab)

...Respondent

APPEARANCES:

For the workman Shri R.K.S. Parmar, AR.

For the management Law Officer of BBMB

AWARD

Passed on 12 Oct., 2010

The Central Government vide notification No.L-23012/5/96-IR(C-11) dated 24-07-97, by exercising its powers under Section 10 sub-section (1) Clause (d) and sub-section 2(A) of the Industrial Disputes Act, 1947 hereinafter referred to as Act has referred the following Industrial Disputes for adjudication to this Tribunal:-

“Whether the action of the management of BBMB, in not reemploying the retrenched workman Sh. Gulzar Singh (who was retrenched in 1980), 1993 when fresh recruitments were made in the establishment is legal and justified? If not, to what relief the workman entitled and from which date?”

The dispute raised in the claim statement about the termination of the services without paying the retrenchment compensation and without notice and also the retention of the juniors like Sohan Singh S/o Mast Ram to workman in service is not a subject matter of the reference. The pleadings of the parties with regard to these pleas are therefore, not relevant for the purpose of reference. For the purpose of the reference only this much of the claim statement is relevant that the workman was retrenched w.e.f. 3-4-1980 and after the termination of the workman, the management had been recruiting workmen on daily wages and work-charge basis in his category and also on regular basis but the workman was not given a chance for employment as per provisions of Section 25H of the Act and the management had recruited about 1200 fresh hands in August 1993. He has claimed his reinstatement/reemployment from the date of his termination.

In its reply the management has admitted the retrenchment of the workman on 3-4-1980. With regard to the employment of fresh hands it has been stated that only the B.C.B. (Bhakra Construction Board) retrenchees were employed in August 1993 in the BBMB as per orders/instructions of Additional Secretary, BBMB, Chandigarh that the services of work-charged and contingent paid employee of the BCB will be taken in BBMB in the same capacity of work-charged establishment contingent paid as fresh appointees. It was categorically denied that any

fresh hand was recruited in BBMB during that period. It was also stated that since the workman was an employee of the BBMB and not of the BCB, so he could not be considered at par with the retrenchees of BCB.

From the pleadings of the parties and for the purpose of deciding the question under reference, the following points arise for consideration:-

- (i) Whether any fresh recruitment was made by the management after the termination of the workman in August 1993?
- (ii) Whether the action of the management of BBMB in not reemploying the workman in August 1993 is legal and justified?
- (iii) To what relief is the workman entitled and from which date? In support of his claim the workman has tendered his affidavit, while on behalf of management Engineer, J.D., Sharma has tendered his affidavit. I have considered the material available on record and have heard the AR of the workman and the Law Officer of the management. My findings on the above mentioned points are as follows :—

Point No. 1

The workman in his affidavit has reiterated that the management had been recruiting workman on daily wages and on work-charge basis in his category and also on regular basis after his termination and about 1200 workmen were recruited as fresh hands in August 1993. The workman has not given the specific instances of the recruitment of the workmen on daily wages, work-charge and regular basis. In the absence of any specific instance the statement of the management witness in his affidavit that no fresh employee was engaged is acceptable. Management witness in his cross-examination however, has admitted that the management had engaged the retrenchees' workman of BCB in terms of the order of the Central Government. The copy of the order is available on record. It is Ex. MW-1/6, Memo No. 25158-59/R & R/1108/88/A/BCB/R-1 dated 03-08-1993 on the subject of absorption of retrenchees work-charge and contingent paid employees of BCB in BBMB is its enclosure. It is clear from the enclosure that the BBMB decided that the surplus work-charge and contingent paid employees of BCB will be taken in BBMB in the same capacity of work-charge establishment/contingent paid as fresh appointees on initial pay after their retrenchment from BCB. A list of retrenchees' work-charge and contingent paid employees of BCB was sent along with the memo for issuing them offer of appointment. The Memo also provided that the post of work-charge employee may be deemed to have been created to the extent as given in the enclosed list. The Memo also says that to avoid any additional financial burden on BBMB consequent upon the placement of the services of the surplus work-charge employees the

existing vacancies and resultant vacancies in future in the sanctioned strength of regular staff under normal and special should not be filled up. From the management evidence, it is clear that the said about 1200 workmen were not the fresh recruits, but they were the retrenchees of the BCB and had been employed in BBMB. With regard to them it cannot be said that management made any fresh recruitment. The management witness in his cross-examination has very categorically stated that after 3-04-1980 the management did not recruit any workman in the category in which the claimant-workman had worked. It is, therefore, held that the management did not make any fresh recruitment in August 1993. Point No. 1 is decided in favour of the management.

Point No. 2

The management's case is that since the claimant-workman was not a retrenchee of the BCB hence, he could not be considered for reemployment. Management witness during his cross-examination has also stated that since there was no work available therefore, the claimant-workman was not given option of work after his termination. No evidence was led by the claimant-workman to rebut this position. Hence, management cannot be held liable for re-employing the claimant-workman. Point No.2 is answered against the workman.

Point No. 3

From the above going discussions it is clear that the management in fact did not make any fresh recruitment in 1993. It simply absorbed the retrenchees of BCB and further the action of the management of BBMB in not reemploying the claimant-workman in 1993 is legal and justified. Workman is not entitled to any relief. Reference is therefore, answered against the workman. Let two copies of award after due compliance be sent to the Central Government for further necessary action.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 27 अक्टूबर, 2010

का.आ. 2909.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसूर मिनरल लिमिटेड के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय बेंगलूर के पंचाट (संदर्भ संख्या 18/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-10-2010 को प्राप्त हुआ था।

[सं. एल-29012/88/2002- आई आर(एम)।

डी.एस.एस.श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 27th October, 2010

S.O. 2909.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.18/2003) of the Central Government Industrial Tribunal-cum-

Labour Court, Bangalore now as shown in the Annexure, in the Industrial dispute between the employees in relation to the management of Mysore Minerals Limited and their workman, which was received by the Central Government on 27-10-2010.

[No. L-29012/88/2002-IR (M)]

D. S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT

"SHRAM SADAN"

III MAIN, III CROSS, II PHASE, TUMKUR ROAD,
YESHWANTHPUR, BANGLORE-560022

Dated : 15th September 2010

Present : Shri S.N. Navalgund, Presiding Officer

C.R. No. 18/2003

I Party

II Party

Shri Ramegowda
S/o Late Muthegowda
C/o Shri Kodandaram,
No. 6/2 B, Yellappa Street,
Chikkamavalli,
Bangalore- 560004

The Managing Director,
Mysore Minerals Limited
No. 39, M.G. Road,
Bangalore- 560001

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub section 10 of the Industrial Disputes Act, 1947 (14 of 1947) has referred this dispute vide order No. L-29012/88/2002 dated 01-04-2003 for adjudication on the following Schedule :

SCHEDULE

"Whether the action of the management of Mysore Minerals Ltd. in dismissing Shri Ramegowda w.e.f. 21st August 1998 is justified? If not, to what relief the workman is entitled?"

2. Pursuant to the notices issued by this tribunal, the first party and the second party entered their appearances through their respective advocates and filed claim statement and counter statement respectively.

3. The first party in his claim statement asserted that he was appointed as a casual Labourer by the second Party in the year 1988 and thereafter his services came to be confirmed as a Mazdoor and while he was working at Puradoddi Granite Quarry of the second party, on account of ill health w.e.f. 18-04-1998 he could not report for duty and submitting an application for leave on medical ground on 18-04-1998, he left to his village Yedamaranahalli in Kanakapura Taluk since there was no one to look after him at the place of work and started taking there treatment as outpatient from general hospital at Kanakapura and that

he was suffering from fever and severe pain in the abdomen and immediately after recovery from ill health when he went to report for duty during first week of September 1998 with medical fitness certificate, to his surprise he was served with order of dismissal dated 21-08-1998. It is further asserted that he had not intentionally or deliberately absented from duties and that he had got sufficient leave to his credit and the Second Party without issuing any charge sheet or holding any enquiry passed the impugned order of dismissal dated 21-08-1998 and he was unaware of framing any charge sheet or holding departmental enquiry for his unauthorized absence, since he has not been served with any charge sheet or notice of enquiry as such the impugned order of dismissal is unjust, illegal and contrary to law and not sustainable in the eye of law. He has further asserted that he had put in more than 10 years continuous and unblemished service as such the punishment of dismissal is too severe and disproportionate to the alleged gravity of the misconduct of remaining unauthorized absent. Hence this tribunal by exercising the powers conferred under section 11A of the ID Act grant an appropriate relief to him. He has further asserted though he was served with dismissal order dated 21-08-1998 during the first week of September 1998 when he went to report for duty, due to financial difficulties and other reasons though he had a very good on merits could not challenge the same before the proper forum for a period of four years and in the year 2002 he initiated conciliation proceedings which ended in failure resulting in this reference. Thus he claimed to set aside his dismissal order and to direct the second party to reinstate him with further direction to give continuity of service and all other consequential benefits with back wages.

4. The Law Officer of the Second party who filed the Counter Statement on 20-12-2003 contended that the first party was appointed as a Mazdoor on 01-01-1988 and while he was discharging his duties at Puradoddi Granite Quarry on 18-04-1998 submitted one day leave application on the ground of sickness and even thereafter he did not turn up and remained unauthorizedly absent as such a memo was sent to him on 09-05-1998 directing him to report for duty and as he did not respond to the said memo, two more memos were sent to him on 19-05-1988 and 04-06-1998 directing to report for duty and to furnish explanation for remaining unauthorized absent and as he did not report inspite of those three memos, on 30-06-1998 an order was passed to hold the Domestic Enquiry appointing Shri B. Krishnappa, Sr. Manager (P) as Enquiry Officer and as the first party inspite of issue of notice by the Enquiry Officer to appear before him to face the enquiry did not attend, the enquiry officer palced him ex-parte submitted his report holding him guilty of the charges of long unauthorized absence. He further contended the third memo and the enquiry notice were sent to the first party through RPAD and same were returned back with the postal endorsement that the 'addressee is not in station' as such a final notice was published in the local newspaper on 22-07-1998 and the first party did not repond to that

publication as well. Therefore, as per the standing orders of the company the first party was dismissed from service w.e.f. 18-04-1998, the date from which he remained unauthorisedly absent. It is further contended that the first party having raised the dispute after a lapse of four years from the date of his dismissal order on that count also he is not entitle for any relief. Thus he has justified and supported the action of the management dismissing the first party from service for his unauthorized absence.

5. Having regard to the assertion of the first party that he was not served with the charge sheet or any enquiry notice formulating a Preliminary issue as to whether the DE conducted against the first party by the second party is fair and proper? after receiving the evidence of an Assistant Manager by name Mr. Govindappa K.V. as MW1 for the management and marking carbon copy of memo purported to have been issued by the Manager, Purdodi Granite Quarry dated 09-05-1998 to the first party to report to duty; carbon copy of the second memo purported to have been issued to the first party dated 19-5-1998 to report for duty on or before 02-06-1998 with his explanation for remaining absent; Carbon copy of the memo purported to have been issued to the first party on 04-06-1998 directing him to report for duty on or before 18-06-1998 with his explanation for absenteeism; undelivered registered post addressed to the first party to his village address returned with the shara that 'he is not residing there and it is learnt that he is residing at Kanakapura'; undelivered registered post addressed to the first party to his village address returned with a shara that 'he was not available in the village for service'; Baluseeme, Kannada Evening Daily published from Chennapatanam dated 22-07-1998 wherein, the publication regarding absenteeism of 3 workers including the first party and notice of enquiry date being 30-06-1998 regarding first party has been published; the letter of intimation by the enquiry officer on 30-6-1998 the first party/charge sheeted employee having not appeared before him to face enquiry; the letter addressed by the Manager, Purdoddi Granite Quarry dated 10-8-1998 to the Chief Administrative Officer of head office of the Second Party management regarding details of the absenteeism of the first party and two others workers; order dated 21-08-1998 dismissing the first party from service w.e.f. 18-04-1998 for his unauthorized absence as Ex. M1 to M8 respectively also recorded the evidence of first party as WW1 and after hearing the arguments addressed by the learned advocates appearing for both the parties by order dated 09-04-2007 answered the preliminary issue in the negative holding that the Domestic Enquiry conducted against the first party by the second party as not fair and proper and called upon both the parties to lead evidence on merits Thereafter on behalf of the second party/management affidavit of one U.K. Anand Kumar S/o Kalegowda, Assistant Office Superintendent, Mysore Minerals Ltd. was filed (which is marked as MW2) tendered him for cross examination by

the counsel for the first party. Since the Second Party closed its side on merits by examining Shri Anand Kumar as MW2, the first party was called upon to adduce his evidence and he rest contended by filling his affidavit in lieu of his evidence dated 20-12-2007 without producing any documents and tendered himself for cross-examination by the second party counsel.

6. With the above oral and documentary evidence brought on record by the parties, I have heard the arguments addressed by the learned advocates appearing for both the parties and carefully gone through the oral and documentary evidence placed on record by both the sides.

7. On appreciation of the claim statement, Counter Statement and oral and documentary evidence brought on record by the parties referred to by me above, I have arrived at the conclusion that the action of the management/second party in dismissing the workman/first party is justified for the following reasons.

Reasons

8. Since there is no dispute the first party was appointed as a Mazdoor in the Second Party management from 01-01-1988 and while he was working at Puradoddi Granite Quarry on 18-04-1998 he submitted leave application on the ground of illness for one day and proceeded on leave but thereafter did not report to duty till the first week of September 1998 on which date he claims to have went to report for duty with medical certificate and came to be served with dismissal order dated 21-08-1998. Since it is not the case of the first party that subsequent to giving leave application one day on 18-04-1998 he forwarded any other application seeking leave, the burden heavily lies on him to substantiate that he was suffering from such a seroius illness for a period more than 5 months either to report to duty or to submit an application for extending his leave on medical ground. The first party failed to place on record any documentary evidence to substantiate that he was suffering from fever and severe abdomen pain for such a long period disabling him to report to duty or even to send an application through post to the management seeking extension of leave. The first party who has stated in the claim statement that on 18-04-1998 he submitted leave application for a day on account of his ill health and left to his native place and started taking treatment in General hospital, Kanakapura and went to report for duty in the first week of September 1998 with medical certificate, in his affidavit filed on 20-12-2007 in lieu of his evidence on merits states that he went to report for duty during the first week of December, 1998 with medical certificate and on that day he was served with order of dismissal dated 21-08-1998. Thus from his affidavit it could be said that from 19-04-1998 till first week of December, 1998 he did not even care to send a leave application or request letter seeking extension of leave after filing one day leave application for 18-4-1998 which suggest that he had no mind to continue

his job with the second party management. Apart from this fact his omission to take any action after the service of the dismissal order as claimed by him in the first week of December, 1998 for a period of four years further indicates that he had no mind to continue his job with the Second Party and after lapse of 4 years with some ulterior motive of getting benefits, he has raised the dispute and managed to get this reference for adjudication. Though the first party did not get exhibit any medical evidence in his evidence, a certificate dated 18-04-1998 and OPD slip dated 18-4-1998 without specification of hospital produced by his counsel with memo dated 20-12-2007 is available on record. In the certificate which is dated 18-07-1998 it is stated that Shri Ramegowda (first party) aged about 38 years S/o Muthgowda, Yedamaranahalli, Kanakapura was his case for Infective Hepatitis from 18-04-1998 and advised bed rest and treatment. It is not specified how many days bed rest he was advised. Since this certificate is said to have been issued on 18-07-1998, if the first party had made an attempt to report to duty at least within a week from that date with medical certificate his absence for that period could have been said to be bona fide. As already adverted to by me above, the OPD slip produced with a certificate is only for 18-04-1998 and there is no indication that the first party having appeared before the doctor of that hospital on any subsequent dates. Therefore, even taking into account the un exhibited medical evidence produced by the first party counsel, I am of the opinion that the first party is not justified in remaining absent from 19-4-1998 till the first week of December, 1998 on which date he claims to have went to report to duty and came to be served with the dismissal order dated 21-08-1998. Under the circumstances though the Domestic Enquiry held at the instance of second party management against the first party has been held as not fair and proper, on the material placed on record by both the parties on merits, I am of the opinion that there is no justification for long absenteeism of the first party from 19-04-1998 till first week of December 1998 on which date he claims to have gone to report to the duty. Therefore, in my opinion the action of the management in dismissing Shri Ramegowda (the first party) by order dated 21-08-1998 w.e.f. 18-04-1998 is justified and the first party is not entitle for any relief. In the result, I pass the following Award:

AWARD

The action of the management in dismissing Shri Ramegowda by order dated 21-08-1998 w.e.f. 18-04-1998 (which appears to have been wrongly mentioned in the reference schedule as w.e.f. 21-08-1998) is justified and the first party workman is not entitle for any relief. No costs.

(Dictated to PA transcribed by her corrected and signed by me on 15th September, 2010.)

S. N. NAVALGUND, Presiding Officer

नई दिल्ली, 27 अक्टूबर, 2010

का.आ. 2910.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ. एन. जी. सी. लिमिटेड नाजिरा आसाम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय गौहाटी के पंचाट (संदर्भ संख्या 01/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-10-2010 को प्राप्त हुआ था।

[सं. एल-30011/35/2009 आई आर(एम)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 27th October, 2010

S.O. 2910.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 01/2010) of the Central Government Industrial Tribunal/Labour Court Guwahati now as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of ONGC Ltd Nazira Assam and their workman, which was received by the Central Government on 27-10-2010.

[No. I-30011/35/2009-IR (M)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, GUWAHATI, ASSAM

Present: Sri D.K. Deb Roy, M.A., L.L.B., Presiding Officer, CGIT-cum-Labour Court, Guwahati.

Ref. Case No. 01 of 2010

In the matter of an Industrial Dispute between:-

The Management of Assam Asset, ONGC, Nazira, Assam.

Versus

Workman represented by the General Secretary, ONGC Karmachary Surakhya Samittee, Nazira.

APPEARANCES:

For the Workman : Sri P.K. Konwar, Advocate,
Sri Runu Kumar Barua, Advocate.

For the management : Sri G.N. Sahewalla, Sr. Advocate,
Sri N. Anix Singh, Advocate.

Date of Award: 29-09-2010

AWARD

1. The present reference is arising out of the Government Notification vide Memo No. I-30011/35/2009-IR(M) Dated: 16-02-2010, in exercise of the powers conferred by clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), for adjudication of the dispute as described in the Schedule below.

SCHEDULE

“Whether the action of the management of ONGC Ltd., Assam Asset, Nazira in transferring Sri Bhubaneswar Chutia, General Secretary of a registered trade union from Nazira to Silchar and for not considering to cancel the transfer order is justified? To what relief Shri Chutia is entitled?”

2. On receipt of the reference notice was duly served upon the parties fixing 12-5-2010 for filing W.S. by the parties. The Management ONGC submitted W.S. on that day with a copy to the Union. Case was fixed on 14-6-2010 for filing W.S. by the Union. On that day the learned Counsel for the management submitted Hajira. Learned Counsel for the workman filed a petition praying for time for W.S. Petition was allowed fixing 16-7-2010 for filing W.S. by the workman. On 16-7-2010, none appeared for the Management. Neither the workman nor his Advocate was found present on that day also and no W.S. was filed by the workman and again date was fixed on 23-8-2010 for filing W.S. by the workman and was ordered that no further adjournment will be entertained. On 23-8-2010, the Learned Counsel for the Management remained present. Neither the workman nor his Advocate was present on that day also. The case was adjourned re-fixing 29-9-2010 for filing W.S. On that day also the learned counsel for the Management appeared. Neither the workman nor his Advocate remained present on that day. There was a specific order that if no W.S. is filed on that day i.e. on 29-9-2010, the matter will be heard and decide ex-parte. The senior counsel Mr. G.N. Sahewalla assisted by Mr. N. Anix Singh emphatically submitted that the workman has not submitted his W.S. even after several adjournments and as such, it appears that the workman is not interested to proceed with the proceeding and prayed that no relief award can be passed.

3. Here I feel it convenient to re-capitulate the brief facts of the case of the management. The Management (in short ONGC) submitted written statement alleging inter alia that the present dispute does not come within the ambit of Section 2(k) of the I.D. Act rather it is an individual dispute. According to the Management the workman Bhubaneswar Chutia was appointed as Helper, Grade-III in the ONGC vide order dated 10-9-1982 and was posted at ONGC, Nazira. As per conditions of the appointment, the concerned workman was liable to serve in any part of India or World. The concerned workman joined in the Management on 14-9-1982, accepting all the terms and conditions. The Management formulated job rotation and transfer policy and the policy is applicable to all the employees including the present workman. The workman Bhubaneswar Chutia was the Office Bearer of a registered Union which was not recognized by the Management, ONGC. Therefore, he is not entitled to claim any relaxation against his transfer under the transfer policy. It is further alleged by the management that Sri Bhubaneswar Chutia

remained posted at ONGC, Nazira/Sibsagar for last 27 years and for the administrative convenience he was transferred to Silchar in Assam on 19-8-2009 without any protest. It is alleged, workman was promoted to the post of Dy. Head Worker (Technical) and he joined on 28-9-2006 giving undertaking that he shall proceed on transfer anywhere. The learned counsel for the management submitted that the workman has been transferred to Silchar after 27 years that too within the State of Assam. The transfer order has been made as per conditions of service and it is not a mala fide transfer. The learned counsel for the management has drawn my attention to the fact that workman failed to submit his W.S. in spite of so many adjournments which clearly shows that he is not interested to proceed with the proceeding. I find force in the submission.

It is also seen from the record that initially the learned counsel for the workman appeared before the court and contested the proceeding but subsequently he also remained absent.

4. Having considered the entire gamut of the situation and having heard the learned counsel for the management I hold that “no relief award” can be granted, since the workman he has not contested the proceeding nor submitted W.S.

5. In the result, prepare “no relief Award” and sent the same to the Government as per procedure.

Given under my hand and seal of this Court on this 29th day of September, 2010 at Guwahati.

D. K. DEB ROY, Presiding Officer

नई दिल्ली, 27 अक्टूबर, 2010

का.आ. 2911.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओम सिंह राजावत पुत्र श्री कल्याण सिंह खान मालिक सकतपुरा कोटा राजस्थान के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जयपुर के पंचाट (संदर्भ संख्या 35/06) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-10-2010 को प्राप्त हुआ था।

[सं. एल-29012/32/2005 आई आर(एम)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 27th October, 2010

S.O. 2911.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 035/06) of the Central Government Industrial Tribunal/Labour Court, Jaipur now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Om Singh Rajawat S/o Sh. Kalyan Singh Mine Owner Sakatpura Kota (Rajasthan) and their workmen, which was received by the Central Government on 27-10-2010.

[No. I.-29012/32/2005-IR (M)]

D. S. S. SRINIVASARAO, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, JAIPUR

Present: N. K. Purohit, Presiding Officer

I.D. 35/06

Reference No. L-29012/32/2005-IR(M) dated 1-03-2006

Kuka

S/o Sh. Mana,

Through Joint General Secretary,

Hind Mazdoor Sabha,

Bengali Colony Cantt.,

Kota (Rajasthan)

V/s.

Sh. Om Singh Rajawat

S/o Sh. Kalyan Singh,

Mine Owner, Sakatpura,

Kota (Rajasthan).

AWARD

30-9-2010

1. The Central Government in exercise of the powers conferred under clause (d) of sub-section 1 & 2(A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following Industrial Dispute to this Tribunal for adjudication which runs as under:—

“क्या श्री कूका पुत्र श्री माना ने श्री औम सिंह राजावत पुत्र श्री कल्याण सिंह खान ठेकेदार सकतपुरा जिला कोटा के अधीन ग्राम राजपुरा, जिला बून्दी, में स्थित खदान पर दिनांक 01-01-1997 से 30-09-2004 तक कार्य किया था? यदि हां तो अप्रार्थी द्वारा श्री कूका पुत्र श्री माना को मजदूरी का कितना भुगतान करना शेष है? तथा प्रार्थी किस अनुतोष तथा राहत का हकदार है?”

2. Pursuant to the receipt of reference order, the registered notices were issued to both the parties. Claim Statement on behalf of the workman was filed on 6-1-10 and reply to the claim was filed on 17-2-10. Upon perusal of the record it appears that on 30-4-10 the applicant sought time for filing rejoinder & documents, but on next date an application was filed by Shri Surender Singh, advocate stating therein that the counsel for the workman would not be able to appear before the Tribunal due to some urgent work. Thus, next date i.e. 9-8-10 was fixed for submitting rejoinder & documents, but none appeared on behalf of the both sides on the said date. Therefore, case was listed on 28-9-10 & 30-9-10 for appropriate orders but on the said dates also none appeared for both the sides.

3. In present reference, the question under consideration is whether the workman Sh. Kuka had worked under contractor Sh. Om Singh Rajawat at mines village Rajpura District Bundi for the period 1-1-97 to 30-9-2004 and what amount is payable to the workman as wages?

4. Initial burden was on the workman to prove the averments made by him in the claim statement but he has neither appeared nor filed any document in support of his claim. It appears that the workman is not willing to contest the case further.

5. Under these circumstances there is no material on record to adjudicate the reference on its merits. Therefore “No Claim Award” is passed in this matter. The reference under adjudication is answered accordingly.

6. Award as above.

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 27 अक्टूबर, 2010

का.आ. 2912.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 165/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-10-2010 को प्राप्त हुआ था।

[सं. एल-30011/62/2001 आई आर(एम)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 27th October, 2010

S.O. 2912.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.165/2001) of the Central Government Industrial Tribunal Labour Court, Jabalpur now as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Bharat Petroleum Corporation Ltd., and their workmen, which was received by the Central Government on 27-10-2010.

[No.1-30011/62/2001-IR(M)]

D. S. S. SRINIVASARAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

No. CGIT/LC/R/165/2001

Presiding Officer : Shri Mohd. Shakir Hasan

General Secretary,

Akhil Bhartiya Adhinasth Bank Karamchari Sangh.

Roxy Pul, Kampoo Road,

Gwalior

...Workman Union

Versus

Dy. Manager,

Bharat Petroleum Corporation Ltd.,

Aviation (Oper) Maharajapur,

Airport, Gwalior.

...Management

AWARD

Passed on this 5th day of October, 2010

1. The Government of India, Ministry of Labour vide its Notification No. L-30011/62/2001-IR(M) dated 13-11-2001 has referred the following dispute for adjudication by this tribunal:—

“Whether the action of the management of Bharat Petroleum Corporation Ltd. in imposing the punishment of reduction to a lower stage in grade and basic pay of Shri Chhotelal Dhukariya S/o Shri Durjan Das is justified. If not, to what relief the workman is entitled?”

2. The case of the Union/workman in short is that the workman was appointed as General Operator in the Bharat Petroleum Corporation Ltd. on 23-1-1989 and posted at Gwalior Aviation Station. He was served with a chargesheet for committing theft of corporation's property. The departmental enquiry was conducted and thereafter he was awarded punishment of reduction to a lower stage in the grade and his basic pay of Rs. 1436 was reduced to Rs. 1286 i.e. the minimum stage in Grade I vide order dated 3-4-95. The punishment order was not for specific period for which the penalty would be operative as required under Rule 11 of CCS(CCA) Rules and Fundamental Rule 29(1). The workman is said to have suffered monetary loss and would adversely affecting his pension, Gratuity etc. He preferred appeal before the Chairman and Managing Director on 26-12-98 for his redressal but the appeal was rejected. The workman is said to have been awarded punishment under clause 29(1)(e) of the certified standing orders but amendments made by the Central Government in rules and Model Standing Orders shall prevail over the certified standing orders. The Central Government had amended Rule 11 of CCS(CCA) Rules wherein specific period was to be mentioned for which the penalty should be operative. The workman approached before the Hon'ble Administrative Tribunal by filing O.A. No. 203/99 wherein the application was returned to agitate before the proper court. On the above grounds, it is submitted that the management be directed to restore the reduce stages of pay w.e.f. 1-7-95 with back wages.

3. The management also appeared and contested the reference by filing Written Statement. The case of the management, inter alia, is that the instant dispute is raised after five years and is at a very belated stage. The workman has not raised any ground about illegality of the enquiry proceeding except that the punishment imposed on him is for unlimited period and should be restricted to three years. It is stated that there is no illegality of infirmity with the punishment order dated 3-4-95 imposed upon him reducing the basic salary to minimum in grade in view of the provision of clause 29(1)(e) of the certified standing orders applicable to the management corporation. There is no time limit for such punishment and therefore the punishment awarded to the workman was justified in view of the charges proved against him. The workmen of the corporation are not civil

servants of the Union or of any State and the provision of Central Civil Services (CCA) Rules are not applicable to the workmen of the corporation. Fundamental Rules have no relevancy with the instant case. The provision of clause 10(1) of the Bipartite Settlement is the promotional policy. It is not related for awarding any punishment. It is stated that for considering next promotion, usual 5 years as per the promotion policy plus additional three years as per the promotion policy plus additional three years due to punishment i.e. 8 years (5+3 years) is to be calculated. On the above ground, the workman is not entitled to any relief and the action of the management is justified.

4. On the pleadings of both the parties the following issues are formulated—

- I. Whether the action of the management in imposing the punishment of reduction to a lower stage in grade to the workman is justified?
- II. To what relief the workman is entitled?

5. Issue No. I

Before discussing on the issue, it is relevant to say that the Union/workman has not challenged the illegality of the departmental proceeding conducted by the management against the workman in his pleading or in his evidence. Thus it is deemed to be valid and legal.

6. The only point raised by the Union/workman is that the punishment passed on the workman of reduction to a lower stage in grade and basic pay reduced from Rs. 1436 to Rs. 1286 i.e. the minimum stage in grade I vide order dated 3-4-1995 is not justified and it is not in accordance with the fundamental rules of the Central Government. It is stated that clause 29(1)(e) of the Certified Standing Orders is in consistent or repugnant with provision of Rule IR-29(i) of the fundamental rules. The fundamental rules are Model Standing Orders and are applicable on the workman. Since the punishment is not for specific period and therefore is unjustified.

7. Now the important question is as to whether the certified standing orders is applicable or CCS(CCA) Rules and Fundamental Rule are applicable to the workman. The Union/workman has filed a copy of the certified standing orders which is admitted by the management. It is marked as Exhibit W/5. It shows that Certified Standing Orders is applicable in respect of all establishment, in Western Region of Marketing Division of Bharat Petroleum Corporation Ltd. Clause-1 runs as follows:—

“These standing orders shall come into operation as per provisions of Section 7 of the Industrial Employment (Standing Orders) Act, 1946 and shall apply to all the workmen employed in all the establishments in the Western Region of Marketing Division of Bharat Petroleum Corporation Ltd.”

The standing order was certified on 14-10-91 by Labour Commissioner (Central) Bombay and further amended and certified on 23-11-93 by Dy. Chief Labour Commissioner (Central), Bombay. The said certified

standing orders come into effect from 30-11-93. Thus it is clear that the certified standing orders shall apply to all the workmen employed in the Western Region of the Corporation including this workman.

8. Another question arises that the CCS(CCA) Rules and Fundamental Rules are also applicable to the workman. The learned counsel for the management argued that the said rules are not applicable to this workman, since he was not an employee of Central Govt. Section 13-B of the Industrial Employment (Standing Orders) Act, 1946 runs as follows—

“Act not to apply to certain industrial establishments.- Nothing in this Act shall apply to an industrial establishment in so far as the workmen employed therein are persons to whom the Fundamental and Supplementary Rules, Civil Services (Classification, Control and Appeal) Rules, Civil Services (Temporary Services) Rules, Revised Leave Rules, Civil Service Regulations, Civilians in Defence Service (classification, Control and Appeal) Rules or the Indian Railway Establishment Code or any other rules or regulations that may be notified in this behalf by the appropriate Government in the Official Gazette, apply.”

Thus it is clear from Section 13-B of the Industrial employment (Standing Orders) Act, 1946 that it exempts from operation of the Act to workmen employed in industrial establishments to whom the Fundamental and Supplementary Rules, Civil Services (Classification, Control and Appeal) Rules, Civil Services (Temporary Service) Rules, Civil Service Regulations, Civilians in Defence Service (classification, control and Appeal) Rules, or the Indian Railway Establishment Code or any other rules or regulations provided that may be notified in this behalf by the appropriate Government in the Official Gazette, are made applicable. In the instant case, the Union/workman has not filed any notification to show that in the said establishment of the corporation the above said rules are applicable. Thus it is evident that CCS(CCA) Rules and Fundamental Rules are not applicable to the workman in absence of any notification.

9. The punishment order dated 3-4-95 and the letter of the management dated 11-3-99 which are marked as Exhibit W/1 and W/4 respectively show that the workman was awarded punishment under clause 29(1)(e) of the Certified Standing Orders and misplace to lower stage of the Grade. Clause 29(1)(e) of standing orders shows that there is no time limit for the punishment.

10. The learned counsel for the Union submits that clause 10(i) of the memorandum of settlement (on promotion policy) between the Bharat Petroleum Corporation Ltd. and workmen (Marketing) shows that the reduction in lower stages in the same grade is maximum to be limited to three years only. The said memorandum is also an admitted document which is marked as Exhibit M/2. It is urged that

the punishment without specified period is unjustified in view of the settlement.

11. The learned counsel for the management submits that it is a settlement on promotional policy that promotion shall not be considered on account of punishment maximum to three years plus general policy of five years and therefore he had been accordingly promoted on 1-2-2002 after eight years. The letter of promotion is marked as Exhibit W/9. I also find that it is a promotional policy and it is of no effect with regard to punishment on misconduct.

12. The workman Chhotelal Dhubkariya is examined in the case. He has stated that he had not filed any appeal in the department against the punishment. The management has also adduced oral evidence. Shri Parvesh Kumar Jain is Station Manager at Gwalior Aviation Fuelling Station. He has supported the case of the management. He has stated that the punishment was of permanent nature. Clause 29(1)(e) of the Certified Standing orders also corroborated this fact that no time limit is prescribed. There is nothing in his evidence to disbelieve this witness. Considering the discussion made above, it is clear that Certified Standing Orders is applicable to the workman and the action of the management is justified. This issue is accordingly answered.

13. Issue No. II

On the basis of the discussion made above, the workman is not entitled to any relief and the reference is accordingly answered.

14. In the result, the award is passed without any costs.

15. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 4 नवम्बर, 2010

का.आ. 2913.—राष्ट्रपति, न्यायाधीश श्री गौरी शंकर सराफ, को 1-11-2010 (पूर्वाह्न) से केन्द्रीय सरकार औद्योगिक न्यायाधिकरण सह-श्रम न्यायालय संख्या 1, मुंबई, के पीठासीन अधिकारी के रूप में 30-6-2013 तक अथवा अगले आदेशों तक, जो भी पहले हो, नियुक्त करती हैं।

[सं. ए-11016/6/2008-सीएलएस-II]

पी. के. ताम्रकर, अवर सचिव

New Delhi, the 4th November, 2010

S.O. 2913.—The President is pleased to appoint Justice Shri Gauri Shanker Sarraf as Presiding Officer of the Central Government Industrial Tribunal-cum-Labour Court No.1, Mumbai w.e.f. 1-11-2010 (F.N.) for a period upto 30-6-2013 or until further orders, which is earlier.

[No. A-11016/6/2008-CLS-II]

P. K. TAMRAKAR, Under Secy.